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## Title 28 EDUCATION

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# Title 28

## EDUCATION

### Part LXXXIII. Bulletin 111—Louisiana School, District, and State Accountability

#### Chapter 1. General Provisions

##### §101. School Accountability

A. Every school shall participate in a school accountability system based on student achievement as approved by the Louisiana State Board of Elementary and Secondary Education (refer to R.S. 17:10.1).

B. Under *No Child Left Behind* (NCLB) the Elementary and Secondary Education Act of 2001, a state's definition of Adequate Yearly Progress (AYP) must apply the same high standards of academic achievement to all public elementary and secondary school students in the state and result in continuous and substantial academic improvement for all students. Schools shall be judged on AYP through both the school performance score component and the subgroup component of the Louisiana School Accountability System.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2737 (December 2003).

#### Chapter 3. School Performance Score Component

##### §301. School Performance Score Goal

A. A School Performance Score (SPS) shall be calculated for each school. This score shall range from 0.0 to 120.0 and beyond, with a score of 120.0 indicating a school has reached Louisiana's 2014 goal.

B. Through 2005, the school performance score shall be determined using a weighted composite index derived from; three or four indicators: criterion-referenced tests (CRT), norm-referenced tests (NRT), student attendance for grades K-12, dropout rates for grades 7-12.

Through 2005, K-12 Indicators and Weighting	
CRT (60% K-12)	Grades 4, 8, 10, 11
NRT (30% K-12)	Grades 3, 5, 6, 7, 9
Attendance (10% K-6; 5% 7-12)	Grades K-12
Dropout Rate (5% 7-12)	Grades 7-12

1. In 2005-2006, the NRT (Iowa) tests administered in grades 3, 5, 6, 7, and 9 will be replaced with the iLEAP tests. Changes in SPS calculations are described below (Paragraph H.4).

2. In 2006-2007, the attendance and dropout rate calculations for grades 9-12 will end. A Graduation Index will replace these indicators in schools with a 12th grade as described below (Paragraph I.6).

C. The lowest score that a given school can receive for each individual indicator index and/or for the SPS as a whole is "0."

D. Each school shall receive their school performance scores under one site code regardless of their grade structures.

E. Beginning in 2004, preliminary accountability results issued each summer shall include both preliminary school performance scores and subgroup component analyses for those schools on the academic watch list, or in School Improvement 2 or higher, or who have failed the subgroup component the prior year. Beginning in 2007, preliminary accountability results each summer shall include any schools determined to be entering into or remaining in School Improvement 2 or higher, exiting School Improvement 2 or higher, and who have failed the Subgroup Component the prior year. Final accountability results shall be issued during the fall semester of each year.

1. Preliminary accountability results shall not be released in the summer of 2006.

a. School Improvement status from the fall release of the 2005 final accountability results shall continue to apply through the first semester of academic year 2006-2007.

b. Schools identified as entering SI2 at the release of the 2006 final accountability results must offer school choice or Supplemental Educational Services beginning in January and continuing for the remainder of the academic year.

F. In the fall of 2004, schools shall receive two SPS:

1. a Growth SPS, which shall consist of the CRT, NRT, and LAA data from the prior school year and the attendance and/or dropout data from the school year two years prior (example: fall 2004 Growth SPS will include spring 2004 CRT, NRT and LAA data and 2002-2003 attendance and/or dropout data):

a. the Growth SPS shall be used to determine growth labels, rewards status and academic assistance status for the SPS component;

b. beginning in 2006, LEAP Alternate Assessment (LAA) will consist of Levels 1 and 2 (LAA 1 and LAA 2). LAA 2 will be administered in grades 4, 8, and 10 in ELA and math and grade 11 in science and social studies in 2006. Additionally, LAA 2 will be administered in grades 5, 6, 7, and 9 in ELA and math in 2007. LAA 2 will be fully implemented with science and social studies added to grades 4-8 in 2008;

2. a Baseline SPS, which shall consist of the two prior school years' CRT, NRT, and LAA data and attendance and/or dropout data from two years' prior to the most recent assessment results (Example: fall 2004 Baseline SPS will include spring 2003 and 2004 CRT, NRT, and LAA data and 2001-02 and 2002-03 attendance and/or dropout data):

a. the Baseline SPS shall be used to determine performance labels and academically unacceptable schools;

b. beginning in 2006, LEAP Alternate Assessment will consist of two levels as described above in Subparagraph F.1.b.

G. In the fall of 2005, schools shall receive three SPS.

1. Two will be those described above (Paragraphs F.1 and 2).

2. Schools will also receive a Transition Baseline SPS which will determine the Growth Target for 2006.

3. The 2005 Transition Baseline SPS will consist of the following indicators and weighting with the test data collected in spring 2004 and 2005, and attendance and dropout data collected in academic years 2002-2003 and 2003-2004.

2005 Transition Baseline SPS K-12 Indicators and Weighting	
LEAP/GEE, LAA (90% K-12)	Grades 4, 8, 10, 11
Attendance (10% K-6; 5% 7-12)	Grades K-12
Dropout Rate (5% 7-12)	Grades 7-12

H. In the fall of 2006, schools will receive two SPS.

1. The Growth SPS will determine Growth Labels, rewards status, and academic assistance status for the SPS component.

2. The Growth SPS will consist of the indicators and weighting in the table above (Paragraph G.3), with the test data collected in spring 2006, and attendance and dropout data collected in the academic year 2004-2005.

3. The Baseline SPS will determine Performance Labels and Academically Unacceptable schools.

a. Schools that were not labeled Academically Unacceptable in 2005 and that have a 2006 Baseline SPS of less than 60, shall be labeled Academically Unacceptable in 2006 but shall have SI status waived.

4. The Baseline SPS will consist of the indicators and weighting in the table below, with the test data collected in spring 2006 and attendance and dropout data collected in academic years 2003-2004 and 2004-2005.

2006 Baseline SPS K-12 Indicators and Weighting	
LEAP/GEE, iLEAP, LAA-1 and 2 (90% K-12)	Grades 3-11
Attendance (10% K-6; 5% 7-12)	Grades K-12
Dropout Rate (5% 7-12)	Grades 7-12

I. In the fall of 2007, schools will receive two SPS.

1. The Growth SPS will determine Growth Labels, rewards status and academic assistance status for the SPS component.

2. The Growth SPS will consist of the indicators and weighting in the table above, with the test data collected in spring 2007, and attendance and dropout data collected in the academic year 2005-2006.

3. The Baseline SPS will determine Performance Labels and Academically Unacceptable schools.

4. For K-8 schools in 2007, the Baseline SPS will consist of the indicators and weighting in the table below, with the test data collected in spring 2006 and 2007, and attendance and dropout data collected in the academic years 2003-2004 and 2004-2005.

2007 (and beyond) Baseline SPS K-8 Indicators and Weighting	
LEAP, iLEAP, LAA-1 and 2 (90% K-8)	Grades 3-8
Attendance (10% K-6; 5% 7-8)	Grades K-8
Dropout Rate (5% 7-8)	Grades 7-8

5. For 9-12 schools in 2007, the Baseline SPS will determine Performance Labels and Academically Unacceptable schools.

a. 9-12 schools that were not labeled Academically Unacceptable in 2006 and whose 2007 baseline SPS are below 60, are labeled Academically Unacceptable in 2007, but if their 2007 Growth SPS are 60 or greater shall have SI requirements waived.

6. For 9-12 schools in 2007, the Baseline SPS will consist of the indicators and weighting in the table below, with the test data collected in spring 2006 and 2007, and graduation data collected in the academic year 2005-2006.

2007 (and beyond) Baseline SPS 9-12 Indicators and Weighting	
LEAP, iLEAP, LAA-1 and 2 (70%)	Grades 9-11
Cohort Graduation Index (30%)	Grade 12

J. In 2008 and beyond, schools will continue to receive two SPS.

1. A Growth SPS will be calculated using the indicators and weighting from the tables above (Paragraphs I.4 and I.6).

2. The Growth SPS will continue to determine Growth Labels, rewards status and academic assistance status for the SPS component.

a. The Growth SPS will include test data from the most recent spring administration (in the prior academic year) and attendance/dropout or graduation data from two years prior.

3. A Baseline SPS will continue to determine Performance Labels and Academically Unacceptable schools.

4. The indicators and weighting for both SPS will consist of that used for the 2007 Baseline SPS.

a. The Baseline SPS will include test data from the two most recent spring administrations and attendance/dropout or graduation data from two and three years prior.

K. 2005-2006 K-8 Transitions

2005-2006 K-8 Transitions			
2005			
	Years of Data	Indicators/Weights	Generates
Growth SPS	2005	LEAP (60%), Iowa (30%), Attendance (5%), Drop (5%)	Growth Label, Rewards for 2005
Baseline SPS	2004 & 2005	LEAP (60%), Iowa (30%), Attendance (5%), Drop (5%)	Performance Label, SI Status, SPS AYP
Transition Baseline SPS	2004 & 2005	LEAP (90%), Attendance (5%), Drop (5%)	Growth Target, Growth Goal for 2006
2006			
	Years of Data	Indicators/Weights	Generates
Growth SPS	2006	LEAP (90%), Attendance (5%), Drop (5%)	Growth Label, Rewards for 2006
Baseline SPS	2006	LEAP/iLEAP (90%), Attendance (5%), Drop (5%)	Performance Label, SI Status (refer to H.3.a. above), SPS AYP, Growth Target and Goal for 2007

L. 2005-2007 High School Transition

2005-2007 High School Transition			
2005			
	Years of Data	Indicators/Weights	Generates
Growth SPS	2005	GEE (60%), Iowa (30%), Attendance (5%), Drop (5%)	Growth Label, Rewards for 2005
Baseline SPS	2004 & 2005	GEE (60%), Iowa (30%), Attendance (5%), Drop (5%)	Performance Label, SI Status, SPS AYP for 2005
Transition Baseline SPS	2004 & 2005	GEE (90%), Attendance (5%), Drop (5%)	Growth Target, Growth Goal for 2006
2006			
	Years of Data	Indicators/Weights	Generates
Growth SPS	2006	GEE (90%), Attendance (5%), Drop (5%)	Growth Label, Rewards for 2006
Baseline SPS	2006	GEE/iLEAP (90%), Attendance (5%), Drop (5%)	Performance Label, SI Status refer to H.3.a. above), SPS AYP for 2006; Growth Target and Goal for 2007
2007			
	Years of Data	Indicators/Weights	Generates
Growth SPS	2007	GEE/iLEAP (90%), Attendance (5%), Drop (5%)	Growth Label, Rewards for 2007
Baseline SPS	2007	GEE/iLEAP (70%), Graduation Index (30%)	Performance Label, SI Status, SPS AYP for 2007; Growth Target and Goal for 2008 (refer to I.5.a. above)

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2737 (December 2003), amended LR 31:1512 (July 2005), LR 32:1017 (June 2006).

### §303. Calculating the SPS Component

A. All intermediate results and the final results shall be rounded to the nearest tenth.

B. Formula for Calculating an SPS [K-6] (Academic Year 2004/2005)

The SPS for a K-6 school is calculated by multiplying the index values for each indicator by the weight given to that indicator and adding the total scores. In the example: $[(66.0 * 60\%) + (75.0 * 30\%) + (50.0 * 10\%)] = 67.1$			
Indicator	Index Value	Weight	Indicator Score
CRT	66.0	60%	39.6
NRT	75.0	30%	22.5
Attendance	50.0	10%	5.0
SPS = 67.1			

C. The 2005 Transition Baseline SPS and the 2006 Growth SPS will be calculated for all schools using a 90 percent weight for the CRT

D. Beginning in 2006, the K-6 Baseline SPS will be calculated using the following formula. Beginning in 2007, both Baseline and Growth SPS will use this formula.

The SPS for a K-6 school is calculated by multiplying the index values for each indicator by the weight given to that indicator and adding the total scores. In the example: $[(87.8 * 90\%) + (110.9 * 10\%)] = 90.1$			
Indicator	Index Value	Weight	Indicator Score
Assessment Index (Grades 3-6)	87.8	90%	79.0
Attendance (K-6)	110.9	10%	11.1
SPS = 90.1			

1. Any K-6 school with at least one grade that is assessed (3-6) will receive an SPS based only on its own student data.

2. Any configuration that has no assessed grades will be paired/shared as described in §521.

E. Formula for Calculating an SPS [K-8] (Academic Year 2004/2005)

The SPS for a K-8 school is calculated by multiplying the index values for each indicator by the weight given to that indicator and adding the total scores. In the example: $[(71.2 * 60\%) + (76.1 * 30\%) + (87.7 * 5\%) + (90.4 * 5\%)] = 74.4$			
Indicator	Index Value	Weight	Indicator Score
CRT	71.2	60%	42.7
NRT	76.1	30%	22.8
Attendance	87.7	5%	4.4
Dropout	90.4	5%	4.5
SPS = 74.4			

F. Beginning in 2006, the K-8 Baseline SPS will be calculated using the following formula. Beginning in 2007, both Baseline and Growth SPS will use this formula.

The SPS for a K-8 school is calculated by multiplying the index values for each indicator by the weight given to that indicator and adding the total scores. In the example: $[(87.8 * 90\%) + (95.2 * 5\%) + (102.7 * 5\%)] = 88.9$			
Indicator	Index Value	Weight	Indicator Score
Assessment Index (Grades 3-8)	87.8	90%	79.0
Attendance (K-8)	95.2	5%	4.8
Dropout (7-8)	102.7	5%	5.1
SPS = 88.9			

1. Any K-8 school with at least one grade that is assessed (3-8) will receive an SPS based only on its own student data.

G. Formula for Calculating an SPS for 9-12 and Combination Schools (Academic Year 2004/2005)

Combination schools (through 2005) are schools that contain a 10th and/or 11th grade and that also contain a 4th and/or 8th grade. The SPS for a 9-12 school shall be calculated by multiplying the index values for each indicator by the weight given to the indicator and adding the total scores. The formula is: $SPS = (.60 * CRT \text{ Adjusted Achievement Index}) + (.30 * NRT \text{ Adjusted Achievement Index}) + (.05 * Dropout \text{ Index}) + (.05 * Attendance \text{ Index})$ The following is an example of how this calculation shall be made: $[(.60 * 66.0) + (.30 * 75.0) + (.05 * 50.0) + (.05 * 87.5)] = 69.0$			
Indicator	Index Value	Weight	Indicator Score
CRT	66.0	60%	39.6
NRT	75.0	30%	22.5
Attendance Index	50.0	5%	2.5
Dropout Index	87.5	5%	4.4
SPS = 69.0			

H. In 2006, the 9-12 Baseline SPS will be calculated using the following formula.

The SPS for a 9-12 school is calculated by multiplying the index values for each indicator by the weight given to that indicator and adding the total scores. In the example: $[(85.5 * 90\%) + (92.3 * 5\%) + (89.9 * 5\%)] = 86.1$			
Indicator	Index Value	Weight	Indicator Score
Assessment Index (Grades 9-11)	85.5	90%	77.0
Attendance (9-12)	92.3	5%	4.6
Dropout (9-12)	89.9	5%	4.5
SPS = 86.1			

I. In 2007 and future years, the 9-12 SPS will be calculated using the following formula.

The SPS for a 9-12 school is calculated by multiplying the index values for each indicator by the weight given to that indicator and adding the total scores. In the example: $[(92.1 * 70\%) + (83.3 * 30\%)] = 89.5$			
Indicator	Index Value	Weight	Indicator Score
Assessment Index (Grades 9-11)	92.1	70%	64.5
Graduation Index (Grade 12)	83.3	30%	25.0
SPS = 89.5			

J. Beginning in 2006, a school with a grade configuration that includes a combination from both categories of schools, K-8 and 9-12, will receive a score from a weighted average of the SPS from the K-8 grades and the SPS from the 9-12 grades.

1. The K-8 SPS will be weighted by the number of students eligible to test during the spring test administration.
2. The 9-12 SPS will be weighted by the sum of:
  - a. the students eligible to test during the spring test administration, and:
    - i. in 2006, the average number of students per grade level in grades 9-11;
    - ii. beginning in 2007, the number of members of the cohort used as the denominator in the graduation index calculation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2738 (December 2003), amended LR 31:763 (April 2004), LR 32:1020 (June 2006).

### **§305. Calculating the CRT Index**

A. A school's CRT index score equals the sum of the student totals divided by the number of students eligible to participate in state assessments times four (number of subjects). For the CRT index, each student who scores within one of the following five levels shall receive the number of points indicated.

Advanced =	200 points
Mastery (Exceeding the Standard) =	150 points
Basic (Meeting the Standard) =	100 points
Approaching Basic (Approaching the Standard) =	50 points
Unsatisfactory =	0 points

B. A student not taking the test and not exempted will be assigned a zero CRT index.

C. A student taking the Louisiana Alternate Assessment shall be included in the CRT index as delineated in §3905 of this policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2738 (December 2003).

### **§307. Incentive Points**

A. Students repeating the 4th or 8th grade must retake all parts of the LEAP 21 exam.

B. If, during spring testing, a repeating 4th or 8th grade student scores at a higher achievement level on a LEAP test of mathematics, English language arts, science or social studies than the previous spring, the retaining school shall receive 50 incentive points per improved subject in its accountability index. A student may earn a maximum of 50 points per subject for a total of 200 incentive points for his/her school (before weighting). Incentive points will not be awarded for a student's improved performance in the same subject for both the spring retest and summer school improvement (as described in Subsection C below). Students retained a second year may again earn 50 incentive points per subject.

C. Beginning with summer school results in 2005, if a 4th or 8th grade student scores at a higher achievement level

on a LEAP test of mathematics or English language arts than the previous spring, the school where the student tested in the spring earns 50 incentive points per improved subject. The incentive points will be included in school performance score calculations the following academic year.

D. Option II 8th grade students (students passing one part of the LEAP that have been placed on a high school campus) must retake the part of the LEAP exam they failed.

1. If, during spring testing, an Option II 8th grade student receives a score of approaching basic or above on the LEAP test for which he/she received a score of unsatisfactory the previous spring, the high school in which the Option II 8th grader is enrolled, shall earn 50 incentive points in its 9th grade NRT index through 2005 and in its assessment index in 2006.

2. Due to changes in high-stakes testing policy, fall 2005 will be the last year students will be newly labeled as Option II 8th graders. Option II 8th graders will participate in 9th grade iLEAP beginning in 2006. They will repeat the subject test of the 8th grade LEAP that they failed. The category "Option II 8th graders" will cease to exist after spring testing 2006.

E. Students repeating the GEE ELA, math, science, and/or social studies tests shall not earn incentive points.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2739 (December 2003), amended LR 31:2422 (October 2005), LR 32:1021 (June 2006).

### **§309. Formula for Calculating a CRT Index for a School [K-8]**

A. Calculate the total number of points by multiplying the number of students at each performance level times the points for those respective performance levels, for all content areas and summing those products.

B. Add to the sum any incentive points and divide by the product of the total number of students eligible to be tested times the number of content area tests.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2739 (December 2003).

### **§311. Calculating the CRT Index [9-12]**

A. Calculate the total number of points by multiplying the number of students at each performance level times the points for those respective performance levels, for all content areas tested and summing those products.

B. Divide the sum by the total number of students eligible to be tested times the number of content area tests to get the raw achievement index for the grade.

C. Multiply the raw index by the product of the non-dropout rates from the previous year for that grade and for all the previous grades (see formulas below). This operation means that the grade 10 CRT index shall be multiplied by the grade 9 and grade 10 non-dropout rates plus 0.07, and

the grade 11 CRT index shall be multiplied by the grade 9, grade 10 and grade 11 non-dropout rates plus 0.07. This operation shall yield the adjusted achievement index.

D.1. The formula for calculating the CRT adjusted achievement index for a high school is:

CRT Adjusted Achievement Index (Gr 10) = Raw Achievement Index \* (1-DO Gr 9 + .07) \* (1-DO Gr 10 + .07)

CRT Adjusted Achievement Index (Gr 11) = Raw Achievement Index \* (1-DO Gr 9 + .07) \* (1-DO Gr 10 + .07) \* (1-DO Gr 11 + .07)

2. Scores for students repeating the GEE 21 ELA, math, science, and/or social studies tests, shall not be included in SPS calculations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2739 (December 2003), amended LR 31:763 (April 2004).

### §313. Formula for Calculating a CRT Index for a Combination School

A. Calculate the CRT index score for the K-8 portion of the school as instructed above in the K-8 directions.

B. Calculate the CRT adjusted index score for the 9-12 portion of the school as instructed above in the 9-12 directions.

C. Multiply the K-8 CRT index by the number of students eligible to take the K-8 CRT times four (number of subjects). Multiply the 9-12 CRT adjusted index by the number of tests 9-12 students were eligible to take.

D. Sum the two products in C above.

E. Divide the sum in D above by the sum of tests all students (K-12) were eligible to take.

$$\frac{[(K-8 \text{ CRT index} * \text{number students eligible to test} * 4) + (9-12 \text{ CRT adjusted index} * \text{number of tests students were eligible to take})]}{\text{Total of tests K-12 students were eligible to take}}$$

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2739 (December 2003).

H. Example of K-8 Assessment Index Calculation

Grade	Subject	Subject-Test Index Score	Incentive Points (Spring Retest)	Unit Weight	Weighted Subject-Test Index Score
3	ELA	100		2	200
3	MTH	50		1	50
3	SCI	50		0.5	25
3	SS	100		0.5	50
4	ELA	100	50	2	300
4	MTH	50		2	100
4	SCI	50	50	1	100
4	SS	50		1	50
5	ELA	150		1	150
5	MTH	150		1	150
5	SCI	100		1	100
5	SS	150		1	150

## Chapter 4. Assessment Index Calculations

### §405. Calculating a K-8 Assessment Index

A. For all grades 3 - 8 use the values from the following table.

iLEAP, LEAP and GEE Index Points	
Label	Subject-Test Index Points
Advanced =	200
Mastery (Exceeding the Standard) =	150
Basic (Meeting the Standard) =	100
Approaching Basic (Approaching the Standard) =	50
Unsatisfactory =	0

1. Add any incentive points earned by repeating 4th or 8th graders to their subject-test index points (a student scoring Basic in 06 in ELA, who scored Unsatisfactory in 05 in ELA, is recorded as earning 150 points in 06 in ELA).

B. Weight each subject-test index score by the corresponding value from the table below.

Unit Weights for K-8 Assessment Index				
Grade	ELA	Math	Science	Social Studies
3rd	2	1	1/2	1/2
4th	2	2	1	1
5th	1	1	1	1
6th	1	1	1	1
7th	1	1	1	1
8th	2	2	1	1

C. Sum all weighted subject-test index scores.

D. Sum all weights applied to subject-test index scores from the table above (in Subsection B).

E. Weight the sum of all summer school incentive points (from the prior summer as described in §307) by 2.

F. Add the value from Step (Subsection) E to the value from Step (Subsection) C.

G. Divide the sum from Step (Subsection) F by the sum from Step (Subsection) D. This quotient is the K-8 Assessment Index.



Grade	Subject	Subject-Test Index Score	Incentive Points (Spring Retest)	Unit Weight	Weighted Subject-Test Index Score
6	ELA	100		1	100
6	MTH	100		1	100
6	SCI	100		1	100
6	SS	50		1	50
7	ELA	0		1	0
7	MTH	50		1	50
7	SCI	0		1	0
7	SS	0		1	0
8	ELA	150		2	300
8	MTH	100		2	200
8	SCI	100		1	100
8	SS	150		1	150
Sums				28	2575
K-8 Assessment Index				2575 ÷ 28 = 92.0	

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1021 (June 2006).

#### §409. Calculating a 9-12 Assessment Index

A. For all grades 9-11, use the values from the table in §405.A, above.

B. Adjust each subject-test index by the corresponding dropout adjustment factor.

1. The 9th grade dropout adjustment factor is the previous year's 9th grade non-dropout rate plus 7 percent (100.0 percent - 9th grade DO rate + 7.0 percent)

2. The 10th grade dropout adjustment factor is the product of the previous year's 9th grade non-dropout rate plus 7 percent and the 10th grade non-dropout rate plus 7 percent [(100.0 percent - 9th grade DO rate + 7.0 percent) x (100.0 percent - 10th grade DO rate + 7.0 percent)]

3. The 11th grade dropout adjustment factor is the product of the previous year's 9th grade non-dropout rate plus 7 percent and the 10th grade non-dropout rate plus 7 percent and the 11th grade non-dropout rate plus 7 percent

[(100.0 percent - 9th grade DO rate + 7.0 percent) x (100.0 percent - 10th grade DO rate + 7.0 percent) x (100.0 percent - 11th grade DO rate + 7.0 percent)]

C. Weight each adjusted subject-test index score by the corresponding value from the table below.

Unit Weights for 9-12 Assessment Index					
Grade	ELA	Math	Science	Social Studies	Total
9th Grade	1	1			2
10th Grade	1.25	1.25			2.5
11th Grade			1.25	1.25	2.5

D. Sum all weighted values from Step (Subsection) C, above.

E. Divide the sum from Step (Subsection) D, above, by the sum of all weights applied to subject-test index scores from the table above (in Subsection C). This quotient is the 9-12 Assessment Index.

F. Example of 9-12 Assessment Index Calculation

1. Non-dropout rates in this example are: 9th - 92.0 percent, 10th - 95.0 percent, and 11th - 96.0 percent.

Grade	Subject	Subject-Test Index Score	Dropout Adjustment	Adjusted Subject-Test Index Score	Unit Weight	Weighted Adjusted Subject-Test Index Score
9	ELA	100	.990	99.0	1	99.0
9	MTH	50	.990	49.5	1	49.5
10	ELA	100	1.010	101.0	1.25	126.3
10	MTH	150	1.010	151.5	1.25	189.4
11	SCI	50	1.040	52.0	1.25	65.0
11	SS	50	1.040	52.0	1.25	65.0
Sums					7	594.2
9-12 Assessment Index					594.2 ÷ 7 = 84.9	

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1022 (June 2006).

## Chapter 5. Calculating the NRT Index

### §501. Formulas Relating Student Standard Scores to NRT Index (K-8)

A. Formulas for calculating the NRT Index Iowa Standard Scores (SS) beginning in 2003.

Index 3rd Grade = $(4.181 * SS) - 693.6$
Index 5th Grade = $(3.101 * SS) - 599.3$
Index 6th Grade = $(2.462 * SS) - 470.4$
Index 7th Grade = $(2.153 * SS) - 427.1$
Index 9th Grade = $(2.060 * SS) - 430.5$

B. A student not taking the test and not exempted will be assigned a zero NRT index.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2740 (December 2003), amended LR 31:1512 (July 2005).

### **§503. Calculating the NRT Index [K-8]**

A. For the NRT index, composite standard scores shall be used for computing the SPS. Index scores for each student shall be calculated, scores totaled, and then averaged together to get a school's NRT index score.

B. Calculate the index for each student, using the grade-appropriate formula relating the standard score to NRT index.

C. Sum the total number of NRT index points for all grades in the school.

D. Divide the sum of the NRT index points by the total number of students eligible to be tested.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2740 (December 2003).

### **§505. Calculating the NRT Index [9-12]**

A. For the NRT index, composite standard scores shall be used for computing the SPS. Index scores for each student shall be calculated, scores totaled, and then averaged together to get a school's NRT index score.

B. Calculate the index for each student, using the grade-appropriate formula relating the standard score to NRT index.

C. Sum the total number of NRT index points earned by all students. For the NRT, there shall be one score for each student—the NRT index calculated from the student's composite standard score. For the CRT, students shall be taking two tests at each grade.

D. Divide the sum by the total number of students eligible to be tested.

E. Multiply the raw index by the 9th grade dropout adjustment (see formula below). This operation means that the grade 9 NRT index shall be multiplied by the grade 9 non-dropout rate (in decimal form) plus 0.07.

NOTE:  $\text{NRT Adjusted Achievement Index} = \text{Raw Achievement Index} * (1 - \text{DO Gr 9} + .07)$

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2740 (December 2003).

### **§507. Formula for Calculating a NRT Index for a Combination School**

A. To request exclusion from the Teacher Assistance and Assessment Program, the teacher must have submitted to the Louisiana Department of Education (LDE), Office of Quality Educators, Division of Professional Development, Professional Accountability Section the following materials:

1. a completed exclusion request form forwarded by the employing Louisiana school system. Each teacher applying for exclusion shall sign a release to solicit needed personnel evaluation information from the previous school system. The request form and release must be sent to the LDE within six weeks of the date of employment to be considered for exclusion.

B. The request for exclusion will be reviewed by an appropriate LDE staff member, and notification indicating approval or denial of the request will be returned to the employing LEA submitting the request.

C. Experienced teachers from out-of-state holding a National Board for Professional Teaching Standards (NBPTS) Certificate will be approved for exclusion from the Louisiana Teacher Assistance and Assessment Program upon submission of the completed exclusion form and a copy of their valid NBPTS Certificate. Note: The National Board Certified Teacher (NBCT) applicant from out-of-state must follow all procedures and must attach a copy of their valid NBPTS Certificate for review.

NOTE: Approval of requests for exclusion will be granted if the completed exclusion request form contains the signature(s) of the administrative authority(ies) responsible for authorizing the results of the evaluation(s).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10; R.S. 17:3871-3873; R.S. 17:3881-3884; R.S. 17:3891-3895; R.S. 17:3901-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 28:278 (February 2002), amended LR 31:2766 (November 2005).

### **§509. Inclusion of Alternate Assessment Results in the NRT**

A. A student taking the Louisiana Alternate Assessment shall be included in the NRT index as delineated in §3905 of this policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2740 (December 2003).

### **§511. Attendance Index Calculations**

A. An attendance index score shall be calculated for each school. The attendance index shall be calculated using the prior two years' average attendance rates as compared to the state's goal.

B. K-8 school attendance index formula =  $(16.667 * \text{ATT}) - 1483.4$

C. 9-12 school attendance index formula =  $(16.667 * \text{ATT}) - 1450.0$

D. Combination school attendance index formula =  $[(K-8 \text{ attendance index} * \text{number of K-8 students}) + (9-12 \text{ attendance index} * \text{number of 9-12 students})] / \text{total K-12 enrollment}$ .

NOTE: Where ATT is the attendance percentage, the index formula uses the definition of attendance established by the Louisiana Department of Education.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2740 (December 2003).

### **§513. Dropout Index Calculations**

A. A dropout index score for each school shall be calculated. The index shall be calculated using the prior two years' average dropout rates as compared to the state's goal.

B. The national definition of *dropout* shall be adhered to, but in certain instances the Louisiana Department of Education shall calculate an "Adjusted Dropout Rate" for accountability purposes.

C. Non-Dropout Rate (NDO) =  $100 - \text{Dropout Rate (DO)}$

NOTE: DO is expressed as a percentage.

D. 7-8 dropout index formula =  $(25 * \text{NDO}) - 2300.0$

E. 9-12 dropout index formula =  $187.5 - (12.5 * \text{Dropout rate})$

F. Combination dropout index formula =  $[(7-8 \text{ dropout index} * \text{number of 7-8 students}) + (9-12 \text{ dropout index} * \text{number of 9-12 students})] / \text{total 7-12 enrollment}$ .

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003).

### **§514. Subgroup Performance Scores (GPS)**

A.1. A Growth GPS is calculated using one year of data (CRT, NRT, attendance, and for schools with grades higher than grade 6, dropouts)

2. A Baseline GPS, except in cases involving new schools (Chapter. 33), is calculated using two years of data.

3. The Growth GPS minus the Baseline GPS determines if the subgroup made adequate growth for the school to be considered for exemplary academic growth.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1445 (July 2004), amended LR 30:1619 (August 2004), repromulgated LR 30:1996 (September 2004).

### **§515. State Assessments and Accountability**

A. With the exception of grade 8 Option II students (ends after 2006 testing), Louisiana students in grades 3 through 11 will participate in only one of the following state assessments on an annual basis:

1. LEAP, or;
2. GEE, or;

3. Iowa On-Level replaced with iLEAP in 2006, or;
4. LEAP Alternate Assessment Level 1 (LAA 1), or;
5. LEAP Alternate Assessment Level 2 (LAA 2).

B. Grade 8 Option II students shall take both the 9th grade NRT and the LEAP 21 test they failed the previous spring.

C. All LEP students shall take the English Language Development Assessment (ELDA) annually as well as the appropriate state assessment for their enrolled grade.

D. GEE 21 scores for repeaters (in any subject) shall not be included in high school SPS calculations.

E. High school students who meet LEAP alternate assessment participation criteria shall take the LAA at the 9th, 10th, and 11th grade beginning in spring 2004.

F. Scores shall not be included in school performance score calculations for LEP students who have not been enrolled in an English-speaking school for one full school year.

G. Scores earned by any student during an academic year who transferred into the LEA after October 1 of the same academic year shall not be included in the School Performance Score (SPS) or Subgroup Performance Score (GPS).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:2422 (October 2005), LR 32:1022 (June 2006).

### **§517. Inclusion of Students**

A. As a general rule for the school performance score calculations, the test score of every student who is enrolled in any school in a LEA on October 1 of the academic year and who is eligible to take a test at a given school within the same LEA shall be included in that school's performance score regardless of how long that student has been enrolled in that school.

B. A school that has at least 10 percent of its testing population transferring from other schools within the LEA after October 1 but before the conclusion of spring testing may request the LEA file an appeal (as described in §3109) and provide the Louisiana Department of Education with sufficient evidence that excluding these students from school performance score calculations would change its academic assistance or school improvement level; or its growth or rewards label.

1. An LEA must develop, submit for approval to the LDE, and implement in the LEA, a plan addressing the academic needs of highly mobile student populations if within a span of 3 years, it is granted appeals based on 10 percent intra-district transfers for:

- a. a specific school twice; or
- b. two or more schools of the same grade configuration within the LEA;

c. ten percent or more of its total number of schools.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:1512 (July 2005), LR 31:2422 (October 2005), LR 31:2764 (November 2005).

#### **§519. Inclusion of Schools**

A. Beginning in 2004, for the Baseline SPS, all schools shall have a minimum number of:

1. 80 testing units to include one or all four parts of the statewide criterion-referenced test; and

2. 20 students with complete composite scores on the statewide norm-referenced test.

B. Beginning in 2004, for the Growth SPS, all schools shall have a minimum number of:

1. 40 testing units to include one or all four parts of the statewide criterion-referenced test; and

2. 10 students with complete composite scores on the statewide norm-referenced test.

C. Beginning in 2006 for the Baseline SPS, all K-8 schools shall have a minimum number of 80 testing units in any combination of LEAP, iLEAP, and LAA 1 or 2.

D. Beginning in 2007 for the Growth SPS, all K-8 schools shall have a minimum number of 40 testing units in any combination of LEAP, iLEAP, and LAA 1 or 2.

E. In 2006 for the Baseline SPS, all 9-12 and combination schools shall have a minimum number of 80 testing units in any combination of LEAP, iLEAP, and LAA 1 or 2.

F. In 2006 for the Growth SPS, all 9-12 and combination schools shall have a minimum number of 40 testing units in any combination of LEAP, and LAA 1 or 2.

G. In 2007 for the Growth SPS, all 9-12 and combination schools shall have a minimum number of 40 testing units in any combination of LEAP, iLEAP, and LAA 1 or 2.

H. Beginning in 2007 for the Baseline SPS, all 9-12 and combination schools shall have a minimum number of 80 units in any combination of graduation cohort membership and LEAP, iLEAP, and LAA 1 or 2.

I. Each member of a cohort used to calculate a graduation index shall be counted as 4 units when determining the minimum number of units required calculating an SPS.

J. Beginning in 2008 for the Growth SPS, all 9-12 and combination schools shall have a minimum number of 40 units in any combination of graduation cohort membership and LEAP, iLEAP, and LAA 1 or 2.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:1512 (July 2005), LR 32:1022 (June 2006).

#### **§521. Pairing/Sharing of Schools with Insufficient Test Data**

A. In order to receive an SPS through 2005, a given school must have at least one grade level of CRT testing and at least one grade level of NRT testing. A school that does not meet this requirement must be either "paired or shared" with another school in the district as described below. For the purpose of the Louisiana Accountability System, such a school shall be defined as a "non-standard school."

1. Beginning in 2006, any school with at least one testing grade (3-11) will receive its Baseline SPS based only on its own student data provided it meets the requirements of §519.

B. Through 2005, a school with a grade-level configuration such that it participates in neither the CRT nor the NRT (e.g., a K, K-1, K-2 school) must be "paired" with another school that has at least one grade level of CRT testing and one grade level of NRT testing. This "pairing" means that a single SPS shall be calculated for both schools by averaging both schools' attendance and/or dropout data and using the test score data derived from the school that has at least two grade levels of testing.

1. For the Transition Baseline SPS in 2005 and the 2006 Growth SPS, any school that does not include 4th, 8th, 10th or 11th will share CRT test data from another school. The school sharing the CRT data will provide its own attendance and/or dropout data to its own SPS.

2. Beginning with the Baseline SPS in 2006, any K-2 school will share 3rd-grade test data from another school. The K-2 school will provide its own attendance data to its own SPS.

3. Beginning in 2007, any school enrolling only 12th grade students will share data with a school or schools containing grades 9-11 that send it the majority of its students. This sharing relationship is to define the cohort that will provide the starting roster on which its graduation index will be based. The 12th grade school will receive an SPS based solely on the graduation index.

4. Beginning in 2007, any K-2, 9-12 configuration shall receive an SPS based solely on the 9-12 data.

C. Through 2005, a school with a grade-level configuration in which students participate in either CRT or NRT testing, but not both (e.g., a K-3, 5-6 school) must "share" with another school that has at least one grade level of the type of testing missing. Both schools shall "share" the missing grade level of test data. This shared test data must come from the grade level closest to the last grade level in the non-standard school. The non-standard school's SPS shall be calculated by using the school's own attendance, dropout, and testing data and the test scores for just one grade from the other school.

D. A district must identify the school where each of its non-standard schools shall be either "paired or shared". The "paired or shared" school must be the one that receives by promotion the largest percentage of students from the non-standard school. In other words, the "paired or shared" school must be the school into which the largest percentage

of students "feed." If two schools receive an identical percentage of students from a non-standard school, the district shall select the "paired or shared" school.

E. If a school is not paired/shared at the beginning of the school year for the baseline SPS, it shall not be paired/shared at the end of the school year for the growth SPS. A school's sharing/pairing status at the beginning of the school year for the baseline SPS shall be its status at the end of the school year for the growth SPS.

F. Requirements for the number of test/graduation index units shall be the sum of the units used to calculate the school's SPS (see §519).

G. If a school has too few test units to be a "stand-alone" school, it may request to be considered stand-alone.

1. It shall receive an SPS that is calculated solely on that school's data, despite the small number of test units.

2. The request shall be in writing to the LDE from the LEA superintendent.

3. The school forfeits any right to appeal its growth status based on minimum test unit counts.

H. Once the identification of "paired or shared" schools has been made, this decision is binding for 10 years. An appeal to the SBESE may be made to change this decision prior to the end of 10 years, when redistricting or other grade configuration and/or membership changes occur.

I. If 10 years has not elapsed, but a paired/shared school acquires a sufficient number of testing units, then the pair/share relationship will be broken, and the school will be treated as a stand-alone school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 30:1445 (July 2004), LR 32:1023 (June 2006).

### **§523. Growth Targets**

A. Each school shall receive a growth target that represents the amount of progress it must make every year to reach the state's 2014 goal of 120.0.

B. In establishing each school's growth target, the Baseline SPS inclusive of students with disabilities shall be used.

C. The percentage of LEP students and students with disabilities varies significantly across schools, and the rate of growth for such students, when compared to regular education students, may be different. Therefore, the proportion of such students eligible to participate in the CRT, NRT, LAA 1 or 2 in each school will be a factor in determining the growth target for each school.

$$\text{PropRE} * (120 - \text{SPS})/N + [\text{PropSE} * (120 - \text{SPS})/ (2N)] + [\text{PropLEP} * (120 - \text{SPS})/ (2N)] \text{ or } 2.0 \text{ points, whichever is greater.}$$

PropRE (Proportion Regular Education Students) = the number of students not in special education or LEP divided by the total number of students in the school eligible to participate in the NRT, CRT, LAA 1, or 2.

PropSE (Proportion Special Education Students) = the number of special education students in the school who are eligible to participate in the NRT, CRT, LAA 1, or 2 and who are not defined as LEP students divided by the total number of students in the school who are eligible to participate in the NRT, CRT, or LAA. For purposes of this calculation, gifted, talented, and 504 students shall not be counted as special education students, but shall be included in the calculations as regular education students

Prop LEP (Proportion Limited English Proficient Students) = the number of limited English proficient students in the school participating in the NRT, CRT LAA 1, or 2 divided by the total number of students in the school who are eligible to participate in the NRT, CRT LAA 1, or 2.

SPS = Baseline School Performance Score.

N = Number of remaining years until 2014.

D. The maximum amount of growth that a school shall be required to attain is 10.0 points. The minimum amount of growth required shall be 2.0 points.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2742 (December 2003), amended LR 32:1023 (June 2006).

### **§525. Growth Targets for New or Reconfigured Schools and Reconstituted Schools**

A. Once a baseline for the new or reconfigured school has been established, a growth target shall be set based on the number of years remaining until 2014, with a maximum growth target of 10.0 points.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2742 (December 2003).

## **Chapter 6. Graduation Index**

### **§601. Defining a Graduation Index**

A. Beginning in 2007, the Louisiana Department of Education (LDE) will calculate a Graduation Index based on a cohort of students for use in the School Performance Score of each school with students in grade 12.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1024 (June 2006).

### **§603. Determining a Cohort for a Graduation Index**

A. A cohort of students is all students who entered 9th grade at a given school in a given academic year.

B. Each cohort of students will be tracked for four years, from entry as first time 9th-graders through 12th grade.

C. Students who exit a cohort in less than four years for legitimate reasons shall not be counted as dropouts in the cohort's graduation index calculations.

1. Exit Codes 7, 8, 9, 10, 12, 14, 16, 20, 21, 27, 28, 29, and 30 from §611 are legitimate.

D. Students who exit a cohort for other than legitimate reasons will be considered dropouts in graduation index calculations.

E. Students who transfer from another LEA, home school, non-public school, or state into a school on or before October 1 of a cohort's 11th grade year will enter the cohort at the students' assigned grade level.

F. Students transferring within an LEA will remain in their same grade-level cohort.

1. Students transferring within an LEA on or before October 1 of their cohort's 12th grade year will be included in the calculation of the graduation index at the school into

which they transfer and complete their 4th year of high school.

G. Students who graduate or complete high school in less than 4 years will be included in the cohort in which they started 9th grade.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1024 (June 2006).

#### **§611. Documenting a Graduation Index**

A. Beginning with academic year 2005-2006, all schools are required to maintain the following documentation if the corresponding exit code is used.

Exit Code Documentation		
Code	Descriptions	Required Documentation
01	Expelled	Due process documentation supporting expulsion
03	Illness	Letter from a physician stating the student's date(s) of care written on the doctor office's letterhead with the doctor's original signature
04	Graduate with Diploma	Official transcript showing successful completion of requirements
05	GED only	LDE confirmation document
06	Certificate of Achievement (Special Education)	Official transcript showing successful completion of requirements
07	Death (of student) or permanent incapacitation	Death Certificate, obituary, or similar form. Signed statement by a physician indicating student's inability to return.
08	Transferred to another public school within district	Request for records from the receiving school
09	Transferred to another public school within Louisiana	Request for records from the receiving school
10	Transferred out of state or country	Request for records from the receiving school (or similar form located in the student's cumulative records, signed and dated by the parent/guardian or adult student and an authorized representative of the school). Documentation proving a student was a foreign exchange student.
12	Transferred to Correctional Institution	A signed statement from the sentencing judge, Office of Youth Development, or representative of the correctional facility.
14	Transferred to non-public school	Request for records from the receiving school
15	Exit from grade for reassignment to another grade	Test results, summer school grades or similar forms located in the student's cumulative records supporting the grade change
16	Transferred to home study/in-school Private Schooling	LDE Approval letter
17	Completed all Carnegie unit requirements but not the GEE	Official transcript showing successful completion of requirements
20	Transferred to Early College Admissions Program	School withdrawal form and request for records from the College or University and proof of full-time enrollment in an academic program.
21	Transferred to State school	Request for records from the receiving school
22	Options Program Completer: GED & Industry Based Certificate	Official transcript showing successful completion of requirements
23	Options Program Completer: GED & Locally Designed Skills Certificate	Official transcript showing successful completion of requirements
24	Options Program Completer: Industry Based Certification	Official transcript showing successful completion of requirements
25	Options Program Completer: Local Skills Certificate Only	Official transcript showing successful completion of requirements
26	Options Program Completer: Certificate of Completion	Official transcript showing successful completion of requirements
27	Exit under SBESE Academic School Choice Policy	Request for records from the receiving school
28	Exit under SBESE Unsafe School Choice Policy	Request for records from the receiving school
29	Exit due to Hurricane Katrina	Used only by specific districts as defined in Chapter 45. Entry into SIS is sufficient documentation
30	Exit due to Hurricane Rita	Used only by specific districts as defined in Chapter 45. Entry into SIS is sufficient documentation

B. Valid alternate documentation that provides sufficient justification for the use of an exit code is allowable.

C. Schools without sufficient documentation to support exit codes are subject to the actions described in Chapter 41.

D. Schools shall maintain documentation that supports exit codes for at least four years after the data has been used in School Performance Scores.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1024 (June 2006).

### §613. Calculating a Graduation Index

A. Points shall be assigned for each member of a cohort during the cohort's 4th year of high school according to the following table.

1. Students who do not earn a diploma, a GED, a Skills Certificate, or a Certificate of Achievement after four years of high school are defined as attendees.

Student Result	Points
Regular Diploma w/Academic and Career/Technical Endorsement	240
Regular Diploma w/Academic or Career/Technical Endorsement	180
Regular Diploma	120
GED	90
Skills Certificate or Certificate of Achievement	60
Attendee	30
Dropout	0

B. The graduation index of a school shall be the average number of points earned by cohort members.

C. Students who complete/exit high school in more than four years may earn incentive points for their school provided they are no older than 21 at the beginning of the academic year in which they exit.

1. The incentive points earned is the difference between those a student earned in the 4th year of high school and the points corresponding to the higher level at which the student exits high school in a subsequent year.

a. Students shall not be considered dropouts if they exit the school after earning points for their cohort.

D. Schools that re-enroll students who dropped out of school will earn incentive points if the "reclaimed" students:

1. were considered dropouts and were included as such in schools' accountability scores; and

2. are no older than 21 at the beginning of the academic year in which they are re-enrolled; and

3. complete/exit a second time with a GED or higher:

a. these "reclaimed" students shall not be considered dropouts a second time.

E. To insure the accuracy of data used to calculate the graduation index, the calculation shall lag one year behind the collection of the data (the index earned by the graduating class of 2006 will be used for 2007 accountability calculations).

Sample Graduation Index Calculation			
Student Count	Result	Points Per	Points
2	Regular Diploma w/2 Endorsements	240	480
8	Regular Diploma w/ Endorsement	180	1440
35	Regular Diploma	120	4200
10	GED	90	900
6	Skills Certificate or Certificate of Achievement	60	360
4	Attendee	30	120
15	Dropout	0	0
80 Total Students			7500
Attendee from prior year earned GED (90-30)			60
Attendee from prior year earned Skills Cert. (60-30)			30
Dropout from prior year earned Reg. Diploma (120-0)			120
Total Incentive Points			210
Total Points			7710
<b>7710 ÷ 80 =</b>		<b>Graduation Index</b>	<b>96.4</b>

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1025 (June 2006).

## Chapter 7. Subgroup Component

### §701. Subgroup Component Indicators

A. Each school shall be evaluated on the subgroup component. A school shall pass the subgroup component provided that each subgroup of students meets the subgroup component, and the school, as a whole, meets the criteria for status or improvement on the additional academic indicator.

1. Passing the subgroup component:

a. Participation rate test—95 percent of the students within the subgroup participated in the standards-based assessments during the current year, during the current and previous year averaged, or during the current and previous two years averaged; and

b. Annual Measurable Objective status test (AMO status test)—the subgroup percent proficient score is at/or above the annual measurable objective in ELA and mathematics; or

c. Safe Harbor Test—

i. the percentage of non-proficient students within the subgroup reduced by at least 10 percent of the previous year's value; and

ii. The subgroup improved or met the criterion on the additional academic indicator (attendance rate for-K-11 schools, and non-dropout rate through 2006 and graduation rate beginning in 2007 for schools with a 12th grade).

2. 2002-03 will be year one of judging schools based on the subgroup component.

3. 2003-04 will be year two of judging schools based on the subgroup component.

4. For the non-proficient reduction portion of the safe harbor test, a comparison of current year assessment data to

the previous year assessment data shall be used. For the additional academic indicator check for the safe harbor test and for the whole school check, attendance and dropout data from two years prior will be compared to data from three years prior. Beginning in 2007, a graduation rate shall replace use of the dropout data for the additional academic indicator.

5. To ensure high levels of reliability, Louisiana will apply a 99 percent confidence interval to the calculations of subgroup component determinations for the:

- a. AMO status test;
- b. reduction of non-proficient students (safe harbor test); and
- c. additional academic indicator status analyses.

6. Louisiana will not apply a confidence interval to improvement analyses for the additional academic indicator.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2742 (December 2003), amended LR 30:2445 (November 2004), LR 32:1025 (June 2006).

### **§703. Inclusion of Students in the Subgroup Component**

A. Students that meet the following criteria shall be included in all subgroup component analyses for the AMO status test and reduction of non-proficient students (safe harbor test).

1. Enrolled for the Full Academic Year (FAY):
  - a. at school level—enrolled at the school on Oct. 1 and the date of testing;
  - b. at district level—enrolled in the district on Oct. 1 and the date of testing;
  - c. at state level—enrolled in a public LEA in the state on Oct. 1 and the date of testing.
2. First Administration of the Test:
  - a. only the first test administration will be used for the subgroup status and growth tests;
  - b. excludes summer school results and repeaters.
3. Not exempted from testing due to medical illness, death of the student's family member(s), or the student being identified as LEP and in an English-speaking school for less than one full academic year.
4. Beginning with the fall 2005 accountability results, former LEP students for up to two years after no longer being considered LEP under state rules.
  - a. These students will not count toward the minimum n for the LEP subgroup and will not be included in the SPS Growth Target adjustment

B. For analyses involving the additional academic indicator, all students in each subgroup in the school shall be included.

C. Each subgroup (African American, American Indian/Alaskan Native, Asian, Hispanic, White, Economically Disadvantaged, Limited English Proficient, Students with Disabilities, and All Students) within each school shall be evaluated separately on ELA and mathematics.

1. In calculating the subgroup component for a school, the alternate academic achievement standards for students participating in LAA will be used, provided that the percentage of proficient LAA students at the district level does not exceed 1.0 percent of all students in the grades assessed. If the district exceeds the 1.0 percent proficient cap, the district shall request a waiver. If the district fails to request the waiver or if the district requests the waiver but it is determined by LDE that ineligible students were administered LAA, the students that exceed the cap or that are ineligible shall be assigned a zero on the assessment and considered nonproficient.

2. Students participating in LAA shall be included in the special education subgroup.

3. LEP students shall participate in the statewide assessments.

a. Scores shall not be included in AMO or improvement in percent proficient calculations for LEP students who have not been enrolled in an English-speaking school for one full school year.

D. Subgroups shall consist of:

1. at least 10 students in order to be evaluated for the subgroup component;
2. at least 40 students in order to be evaluated for the 95 percent participation rate.

E. Subgroups shall pass the participation rate test and either the AMO status test; or the safe harbor test in order to be considered as having passed the subgroup /component.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2743 (December 2003), amended LR 30:1619 (August 2004), repromulgated LR 30:1996 (September 2004), amended LR 30:2256 (October 2004), amended LR 30:2445 (November 2004), LR 31:912 (April 2005).

### **§705. AMO**

A. The Annual Measurable Objective (AMO) is the percent of students required to reach the proficient level in a given year on the standards-based assessments, which through 2005 will include English/language arts and mathematics tests for 4th, 8th, and 10th grades.

1. Proficient = a score of basic, mastery or advanced.

B. As required in NCLB, the AMOs have been established based on the baseline percent proficient score (proficient = CRT level of basic, mastery, or advanced) in



English-language arts and mathematics in the 20th percentile school, using the 2002 CRT test scores in ELA and mathematics for grades 4, 8, and 10.

C. The AMOs for ELA and math are as follows.

School Year	ELA	Mathematics
2001-2002		
2002-2003	36.9 %	30.1 %
2003-2004	36.9 %	30.1 %
2004-2005	47.4 %	41.8 %
2005-2006	47.4 %	41.8 %
2006-2007	47.4 %	41.8 %
2007-2008	57.9 %	53.5 %
2008-2009	57.9 %	53.5 %
2009-2010	57.9 %	53.5 %
2010-2011	68.4 %	65.2 %
2011-2012	78.9 %	76.9 %
2012-2013	89.4 %	88.6 %
2013-2014	100.0 %	100.0 %

D. A 99 percent confidence interval shall be used when evaluating whether subgroups within a school have attained the Annual Measurable Objective (AMO).

E. A confidence interval is a statistic that creates a range of scores. Subgroups with a 95 percent participation rate that attain a percent proficient score within or above the confidence interval range for the AMO shall be considered as having passed the subgroup component. Confidence interval ranges are affected by subgroup size. Smaller subgroups will have a wider range and larger subgroups will have a narrower range.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2743 (December 2003).

#### **§707. Safe Harbor**

A. Subgroups that do not pass the AMO status test by attaining a percent proficient score within or above the confidence interval range shall be evaluated for safe harbor.

B. Safe harbor is attained if:

1. the subgroup makes a 10 percent reduction in its non-proficiency rate from the previous year:

a. a 99 percent confidence interval is applied to this reduction check; and

2. the subgroup:

a. achieves a 90 percent attendance rate (for schools without a 12th grade) or 90 percent non-dropout rate (for schools with a 12th grade). (A 99 percent confidence interval is applied to the 90 percent attendance rate and 90 percent non-dropout rate check); or

b. makes at least 0.1 percent improvement in attendance rate (for schools without a 12th grade) or non-dropout rate (through 2006 for schools with a 12th grade) from the previous year;

c. for schools with a 12th grade, the non-dropout rate shall be evaluated for students in grade 9 and above.

C. Beginning in 2007, a graduation rate shall replace the non-dropout rate for schools with a 12th grade. It will be calculated as described in §708.

D. Subgroups passing the participation rate test and achieving safe harbor shall be considered as having passed the subgroup component.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2743 (December 2003), amended LR 32:1025 (June 2006).

#### **§708. Calculating a Graduation Rate**

A. As required by the *No Child Left Behind Act of 2001*, Louisiana shall calculate a graduation rate based on a panel of students beginning in 2007.

B. A panel of students is all first-time 9th graders in a given school in a specific year.

C. The percentage of students in a panel who graduate within four years with a standard diploma shall be the graduation rate used for the subgroup component.

1. Students leaving a panel for legitimate reasons shall be exited from the panel (Exit Codes 7, 8, 9, 10, 12, 14, 16, 20, 21, 27, 28, 29, and 30 from §611 are legitimate).

2. Students with disabilities whose IEPs state that they will take longer than four years to earn a standard diploma shall be added to the panel with which they graduate provided they are less than 22 years of age at the beginning of the academic year.

D. The 2007 graduation rate shall be calculated using the first-time 9th grade students from fall 2002. The results from this 2002 panel will be evaluated to establish a baseline graduation rate for the subgroup component.

E. Schools with a 12th grade will be evaluated for the first time for their graduation rate in the fall of 2007.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1026 (June 2006).

#### **§709. Failing the Subgroup Component**

A. A school shall fail the subgroup component if ANY subgroup within that school fails the participation rate test, the ELA or math AMO status test or the safe harbor test.

B. A school in which all subgroups have passed the subgroup component must also have the school pass the additional academic indicator (AAI). A school passes the AAI when it has:

1. achieved a 90 percent attendance rate (for schools without a 12th grade)/90 percent non-dropout rate (through 2006 for schools with a 12th grade). (A 99 percent confidence interval is applied to the 90 percent attendance rate and 90 percent non-dropout rate check.); or

2. made at least 0.1 percent improvement in attendance rate (for schools without a 12th grade) or non-dropout rate (for schools with a 12th grade) from the previous year. Schools with a 12th grade will use a non-dropout rate through 2006;

3. beginning in 2007 for schools with a 12th grade, earned a sufficient graduation rate as described in §708 or improved the graduation rate by at least 0.1 percent.

NOTE: If a school in which all subgroups have passed the subgroup component does not pass the additional academic indicator, it shall not pass the subgroup component.

C. Any school that has failed the subgroup component in the same subject for two consecutive years will enter school improvement 2 (e.g. special education in mathematics in year one and economically disadvantaged in math in year two. The school has failed the subgroup component for two consecutive years and therefore, must enter SI 2).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2744 (December 2003), amended LR 30:2256 (October 2004), LR 32:1026 (June 2006).

## Chapter 9. Growth Labels

### §903. Growth Labels beginning in 2004

Exemplary Academic Growth	A school that makes its growth target, all subgroups grow at least two points, and the school is not in SI.
Recognized Academic Growth	A school that makes its growth target but any subgroup does not grow at least two points and/or the school is in SI.
Minimal Academic Growth	A school improving (at least 0.1 points) but not meeting its growth target.
No Growth	A school with a change in SPS of 0 to -2.5 points.
School In Decline	A school with a declining SPS (more than -2.5 points).

NOTE: For subgroup performance to be evaluated, there must be a minimum of 10 students in the subgroup.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2744 (December 2003).

## Chapter 11. Performance Labels

### §1101. Performance Labels

#### A. School Performance Score

Performance Label	School Performance Score
Academically Unacceptable	Below 45.0
Academic Warning*	45.0 – 59.9
★	60.0 – 79.9
★★	80.0 – 99.9
★★★	100.0 – 119.9
★★★★	120.0 – 139.9
★★★★★	140.0 and above

\*Effective with the 2005 performance labels, the definition of an academically unacceptable school shall be any school with an SPS below 60.0. The academic warning label will be used only with the 2003 and 2004 school performance scores.

B. When a school's performance label is greater than or equal to four stars (SPS  $\geq$  120.0), it shall not be identified for academic assistance (formerly school improvement level 1) based on its SPS and shall not receive a "negative" growth label (minimal academic growth, no growth, school in decline).

C. When a school's performance label is three-stars ( $100 \leq$  SPS  $< 120$ ) and it declines more than 2.5 SPS points in an academic year from the prior year's baseline score, it shall enter academic assistance and meet the requirements listed in Chapter 14.

1. In 2005, 3-star schools will not receive negative growth labels.

2. In 2006 and 2007, 3-star schools with SPSs greater than or equal to 105.0 will not receive negative growth labels.

3. In 2008 and 2009, 3-star schools with SPSs greater than or equal to 110.0 will not receive negative growth labels.

4. In 2010 and 2011, 3-star schools with SPSs greater than or equal to 115.0 will not receive negative growth labels.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2744 (December 2003), amended LR 31:2764 (November 2005).

## Chapter 13. Rewards/Recognition

### §1301. Reward Eligibility

A. Beginning in 2004, a school shall receive recognition and monetary awards (as appropriated by the legislature) when it achieves a growth label of Exemplary or Recognized Academic growth. Exemplary Academic Growth shall require, in addition to achieving the school's Growth Target, at least 2.0 points growth in every subgroup's GPS (African American, American Indian/Alaskan Native, Asian, Hispanic, White, Economically Disadvantaged, Limited English Proficient, Students with Disabilities, and All Students), and the school cannot be in any level of school improvement. Recognized Academic Growth is earned by any school that meets its growth target, regardless of subgroup growth or school improvement status.

B. School personnel shall decide how any monetary awards shall be spent; however, possible monetary rewards shall not be used for salaries or stipends.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2744 (December 2003), amended LR 30:1446 (July 2004), LR 31:1513 (July 2005).

**§1303. Correction of Data**

A. Districts and the Louisiana Department of Education (LDE) shall evaluate any instance of irregular or unusual data in the following respects for determining the allocation of rewards:

1. if irregularities are resolved and the data is corrected before rewards are provided, the rewards will be based upon the corrected data;
2. if the irregularities are resolved and the data is corrected after rewards have been distributed, the school shall be required to repay any rewards for which it was ineligible as determined by the audit findings or the State Board of Elementary and Secondary Education (SBESE) will subtract the reward amount from future funds to be awarded to the district or from some other source.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2745 (December 2003).

## **Chapter 14. Academic Assistance (formerly School Improvement 1)**

**§1401. Levels of Academic Assistance**

A. There shall be six levels of academic assistance. A school that enters academic assistance shall receive additional support and assistance with the expectation that efforts shall be made by students, parents, teachers, principals, administrators, and the school board to improve student achievement at the school. A school in academic assistance shall begin the remedies required at the level that the school is in as a result of the fall final accountability release. The remedies required in each level of academic assistance shall be additive in nature as schools move to higher levels of academic assistance (e.g., schools in academic assistance level 3 are required to meet the remedies of levels 1, 2, and 3).

B. Remedies Required for Levels of Academic Assistance

Academic Assistance Level	Remedy
1	If SPS < 80.0 the district will assist the school with a needs assessment and in analyzing the data to determine strengths, weaknesses, goals, and objectives. Revised School Improvement Plan
2	District Assistance Team
3	Scholastic Audit (Year 1)
4	Add from Corrective Action List Scholastic Audit (Year 2)
5	Develop Reconstitution "light" plan
6	Implement Reconstitution "light" - Substantial school reform aimed at increasing the academic performance of low achieving subgroups.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1513 (July 2005), amended LR 32:1026 (June 2006).

**§1403. Entry into Academic Assistance**

A. Schools that fail to meet their growth targets enter academic assistance level 1 (AA1) when:

1. they receive a 1 star performance label based on the current year's score release and fail to meet their growth target; or
2. they receive a 2 star performance label and do not make at least 0.1 SPS points of growth based on the current year's score release; or
3. they receive a 3 star performance label and decline more than 2.5 SPS points based on the current year's score release.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1513 (July 2005).

**§1405. Movement in Academic Assistance**

A. Schools move one level higher in academic assistance when they fail to meet their growth target and their newly calculated growth target exceeds 8.0 SPS points (a school in AA2 moves to AA3).

B. Schools remain at the same level of academic assistance when they:

- a. reach their growth target, but their new growth target exceeds 8.0 SPS points; or
- b. fail to reach their growth target, but their new growth target is less than or equal to 8.0 SPS points.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1513 (July 2005).

**§1407. Exit from Academic Assistance**

A. A school shall exit academic assistance when the fall accountability results indicate it has achieved its growth target and its new growth target is less than or equal to 8.0 SPS points.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1513 (July 2005).

## **Chapter 15. School Improvement (formerly called Corrective Actions)**

**§1501. Levels of School Improvement**

A. For schools in school improvement prior to having an approved reconstitution plan, an LEA shall consult with the LDE prior to requesting a change in a school's site code, changing its configuration, or closing a school site. Based on the information provided by the LEA, the LDE shall determine the school improvement (SI) status and the

accompanying supports and sanctions of the schools impacted by such changes. The process must also assure the academic needs of the students from the school in school improvement are met if the students are placed in another school.

B. Reconstitution plans submitted for BESE approval must include any proposed school closures, requests for site code changes, grade reconfigurations, and attendance zone changes that will impact the school in SI4 as described in §2301.

C. There shall be five levels of school improvement. A school that enters school improvement shall receive

additional support and assistance with the expectation that extensive efforts shall be made by students, parents, teachers, principals, administrators, and the school board to improve student achievement at the school. A school in school improvement shall begin the remedies required at the level that the school is in upon initial identification of the school for that level of school improvement, either summer preliminary or fall final accountability release. The remedies required in each level of school improvement shall be additive in nature as schools move to higher levels of school improvement (e.g., schools in SI 3 are required to meet the remedies of SI 2 and SI 3).

SI Level	Remedy	SPS Component Academically Unacceptable Schools		Subgroup Component AYP Analysis	
		Title I	Non-Title I	Title I	Non-Title I
SI 2	Revised School Improvement Plan	X	X	X	X
	School Choice	X	X	X	-
	District Assistance Team	X	X	X	X
SI 3	Supplemental Educational Services (SES)	X	-	X	-
	Schools are eligible for DE	X	X	-	-
	Scholastic Audit (Year 1)	X	X	X	X
SI 4	Add from Corrective Action List	X	X	X	X
	Scholastic Audit (Year 2)	X	X	X	X
	Develop reconstitution plan (eligible for DE Partnership)	X	X	-	-
SI 5	Implement reconstitution plan or lose school approval	X	X	-	-
	Develop Alternate Governance plan	-	-	X	-
	Develop Reconstitution "light" plan	-	-	-	X
SI 6	Alternate Governance	X	X	X	-
	Implement Reconstitution "light" - Substantial school reform aimed at increasing the academic performance of low achieving subgroups.	-	-	-	X

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2745 (December 2003), amended LR 30:2744 (December 2004), LR 31:1513 (July 2005), LR 31:2764 (November 2005), LR 32:1026 (June 2006).

### §1503. Entry into School Improvement

A. Schools shall enter school improvement by two methods of identification.

1. Any Academically Unacceptable school enters school improvement 2.

a. Beginning in 2005, schools with a Baseline SPS below 60.0 shall be considered Academically Unacceptable.

b. For 2006 only, schools with an SPS below 60, whose SPS was 60 or above in 2005, shall have SI requirements waived.

c. For 2007 only, 9-12 and combination schools that are Academically Unacceptable shall have SI requirements waived if their 2006 Baseline SPS was 60 or above and their 2007 Growth SPS is 60 or above.

B. Schools that enter school improvement 2 through method 1 or 2 above shall be considered as not meeting adequate yearly progress for the purposes of NCLB.

C. In the event that test scores are voided at a school due to testing irregularities, the accountability recalculations shall be performed. If applicable, the school shall be placed in the appropriate level of school improvement at the time of recalculation, and all associated remedies shall be applied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2745 (December 2003), amended LR 30:2257 (October 2004), LR 30:2445 (November 2004), LR 31:1514 (July 2005), LR 32:1027 (June 2006).

### §1505. Exit from School Improvement

A. A school shall exit School Improvement when the fall accountability results indicate:

1. it is no longer Academically Unacceptable, and has not failed the Subgroup Component for 2 consecutive years;

2. it is in school improvement for failure to pass the subgroup component, and it passes the subgroup component for two consecutive years and is not academically unacceptable;

3. it is in school improvement for failure to meet its required growth on the SPS component, and it meets its

required growth for one year and is not academically unacceptable and has not failed the subgroup component in the same subject for two consecutive years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2746 (December 2003), amended LR 30:1619 (August 2004), repromulgated LR 30:1996 (September 2004), amended LR 30:2257 (October 2004), LR 31:1514 (July 2005), LR 32:1027 (June 2006).

## **Chapter 17. Requirements for Schools in School Improvement (SI)**

### **§1701. School Improvement 1 Requirements**

A. A Revised or New School Improvement Plan (SIP). All Louisiana schools were required to have school improvement plans in place by May of 1998. Within 90 days of initial identification, those schools placed in School Improvement shall be required with the assistance of District Assistance Teams to review and either revise or completely rewrite their School Improvement Plans according to the guidelines established by the Louisiana Department of Education.

B. Assurance Pages. Districts with schools in school improvement shall be required to provide assurances that each school's improvement plan has the essential components required in the Louisiana School Improvement Plan Template and is acceptable as measured by the Louisiana SIP Rubric. Signatures of the appropriate district personnel shall also be required.

C. All schools in school improvement shall be assigned a District Assistance Team to assist in the development of the SIP according to the guidelines established by the Louisiana Department of Education, and shall submit its' SIP to the Division of School Standards, Accountability, and Assistance. Districts with school's in school improvement must also submit to the Louisiana Department of Education a *Quarterly Monitoring of the Implementation of the School Improvement Plan* for each school in school improvement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2746 (December 2003), amended LR 30:1619 (August 2004), repromulgated LR 30:1996 (September 2004), amended LR 30:2744 (December 2004), LR 31:1514 (July 2005).

### **§1703. School Improvement 2 Requirements (SI 2)**

A. A school shall enter SI 2 if:

1. it is academically unacceptable, made its growth target; or
2. it passes the subgroup component in the same subject that caused it to enter SI 2 for the current year, but not two consecutive years.

B. Parents of students in Academically Unacceptable Schools (AUS) and Title I schools in SI 2 for failing the subgroup component shall have the right to transfer their

child to a higher performing public school as stated in Chapter 25.

1. If a school's initial identification for school improvement 2 occurs with the summer preliminary accountability release, the school shall offer choice prior to the first day of school of that school year.

2. If a school's initial identification for school improvement 2 occurs with the fall final accountability release, the school shall offer choice in January of that school year.

3. If a school is wrongly identified through the summer preliminary accountability release, the school shall continue in their choice obligations for the remainder of that school year, but shall be released from these obligations for the following school year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2746 (December 2003), amended LR 30:2257 (October 2004), LR 30:2745 (December 2004), LR 31:1515 (July 2005), LR 32:1027 (June 2006).

### **§1704. School Improvement 3 Requirements**

A. A school enters SI 3 if:

1. it was first in SI 2; and
2. it is an AUS and did not make its GT; or
3. it fails the subgroup component in the same subject that caused it to enter SI 2 for the current year.

B. A school stays in SI 3 if:

1. it is an AUS and it made its GT; or
2. it passes the subgroup component in the same subject that caused it to enter SI 3 for the current year, but not two consecutive years.

C. All schools in SI 3 must adhere to the requirements of schools in SI 2.

D. A district may choose to enter into a partnership with the LDE to provide a distinguished educator for any academically unacceptable school in SI 3, as available. The district, with the approval of the local school board, shall delineate in writing, as part of this partnership, how the expertise and recommendations of the DE will be utilized and implemented to facilitate school improvement in the assigned school. The DE shall work in an advisory capacity to help the school improve student performance. The DE shall make a public report to the school board of recommendations for school improvement. Districts shall then publicly respond to these recommendations.

E. All Title I schools in SI 3, who have failed the SPS component, or the subgroup component in the same subject that caused them to enter SI 2, shall offer supplemental educational services to their students as stated in Chapter 27.

1. If a school's initial identification for school improvement 3 occurs with the summer preliminary accountability release, the school shall offer state approved supplemental educational services prior to the first day of school of that school year.

2. If a school's initial identification for school improvement 3 occurs with the fall final accountability release, the school shall offer state approved supplemental educational services in January of that school year.

3. If a school is wrongly identified through the summer preliminary accountability release, the school shall continue in their state approved supplemental educational service obligations for the remainder of the semester, but shall be released from these obligations for the following semester.

F. With the assistance of the District Assistance Team, the school shall revise its School Improvement Plan to address the findings of the Scholastic Audit that will be conducted by an external team assigned by the LDE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2746 (December 2003), amended LR 30:2257 (October 2004), LR 30:2745 (December 2004), LR 31:1515 (July 2005), LR 32:1027 (June 2006).

#### **§1705. School Improvement 4 Requirements**

A. All schools in SI 4 must adhere to the requirements of schools in SI 3.

B. A school enters SI 4 if:

1. it was first in SI 3; and
2. it is an AUS and did not make its GT; or
3. it fails the subgroup component in the same subject that caused it to enter SI 3 for the current year.

C. A school remains in SI 4 if:

1. it is an AUS and it made its GT; or
2. it passes the subgroup component in the same subject that caused it to enter SI 4 for the current year, but not two consecutive years.

D. All schools in SI 4, with the local school board's approval, shall select from the following corrective actions list:

1. replace school staff;
2. implement new curriculum;
3. decrease management authority;
4. contract an outside expert;
5. extend the school year or school day;
6. restructure.

E. For AUS schools, the DE may continue to serve the school in an advisory capacity.

F. A district must develop a reconstitution plan for all AUS schools at the beginning of the first school year in this level and submit the plan to the SBESE for approval by December of that school year.

1. Reconstitution plans submitted to BESE must include justification for any planned school closures, requests for site code changes, grade reconfigurations, and attendance zone changes that will impact the school in school improvement 4, and BESE must approve the reconstitution plan before any such changes are implemented.

G. The LDE will review the changes to school sites due to reconstitution and will consult with the LEA on the effects that the reconstitution will have on rewards and/or school improvement status.

H. With the assistance of the District Assistance Team, the school shall continue to implement its School Improvement Plan to address the findings of the Scholastic Audit that will be conducted by an external team assigned by the LDE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2747 (December 2003), amended LR 30:2257 (October 2004), LR 30:2446 (November 2004), LR 31:1515 (July 2005), LR 31:2764 (November 2005), LR 32:1027 (June 2006).

#### **§1706. School Improvement 5 Requirements**

A. All schools in SI 5 must adhere to the requirements of schools in SI 4.

B. A school enters SI 5 if:

1. it was first in SI 4; and
2. it is an AUS and did not make its GT; or
3. it fails the subgroup component in the same subject that caused it to enter SI 4 for the current year.

C. A school remains in SI 5 if:

1. it is an AUS and it made its GT; or
2. it passes the subgroup component in the same subject that caused it to enter SI 5 for the current year, but not two consecutive years.

D. All schools that entered SI 5 due to their AUS status must implement the reconstitution plans approved by SBESE while the school was in SI 4.

E. All Title I schools that enter SI 5 due to subgroup component failure must develop alternate governance plans.

F. All non-Title I schools that enter SI 5 due to subgroup component failure must develop "Reconstitution Light" Plans.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2747 (December

2003), amended LR 30:2257 (October 2004), LR 31:1515 (July 2005).

### **§1707. School Improvement 6 Requirements**

A. All schools in SI 6 must adhere to the requirements of schools in SI 5.

B. A school enters SI 6 if:

1. it was first in SI 5; and
2. it is an AUS and did not make its GT; or
3. it fails the subgroup component in the same subject that caused it to enter SI 5 for the current year.

C. A school remains in SI 6 if:

1. it is an AUS and it made its GT; or
2. it passes the subgroup component in the same subject that caused it to enter SI 6 for the current year, but not two consecutive years.

D. All Title I schools that enter SI 6 due to subgroup component failure must implement their alternate governance plans. All schools that enter SI 6 due to their AUS status must operate under alternate governance. Alternate governance shall be defined as:

1. reopen as a "public charter;"
2. replace all or most of school staff (may include principal);
3. enter into a contract with an entity with demonstrated record of effectiveness to operate the public school;
4. turn operation over to the state;
5. any other major restructuring of a school's governance arrangements that makes fundamental reform.

E. All non-Title I schools that enter SI 6 due to subgroup component failure must implement their approved "Reconstitution Light" Plans.

F. The SBESE shall monitor the implementation of reconstitution plans.

NOTE: If the SBESE does not approve a reconstitution plan, and a given school does not meet the required minimum growth, the school shall lose its state approval and all state funds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2747 (December 2003), amended LR 30:2257 (October 2004), LR 31:1515 (July 2005).

## **Chapter 19. School Improvement—District and State Level Tasks**

### **§1901. District Level Tasks**

A. For all schools in school improvement, districts shall:

1. submit to SBESE by February 1 of each year a status report regarding the implementation of all school improvement requirements and activities in each of their school improvement schools;

2. assign a District Assistance Team (DAT) to assist in the development of the School Improvement Plan according to the guidelines established by the Louisiana Department of Education that include:

- a. assist the school with the state's diagnostic process or another process meeting state approval to identify needs in order to develop/revise and implement a consolidated improvement plan, including an integrated budget. The process must include:

- i. opportunities for significant parent and community involvement;
    - ii. public hearings; and
    - iii. at least two-thirds teacher approval.

3. provide assurances from the local superintendent and the DAT that each school's improvement plan has the essential components required in the Louisiana School Improvement Plan Template and is acceptable as measured by the Louisiana SIP Rubric;

4. assist with the scholastic audit, if necessary; and

5. when provided with the results of the scholastic audit, develop a plan with schools to correct problems identified by the scholastic audit, monitor implementation of the plan, and evaluate its effectiveness based on student assessment results;

6. offer school choice, if required, within proper timeframe.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2748 (December 2003), amended LR 31:1515 (July 2005).

### **§1903. District Support at Each Level**

A. District's responsibilities for school(s) in School Improvement 3:

1. continue to adhere to the requirements of schools in school improvement as described in §1901;

2. may choose to enter into partnership with the LDE to provide a distinguished educator for academically unacceptable schools;

3. offer supplemental educational services for Title I schools;

4. submit to SBESE a written response by the local school board to the DE's annual report no later than 45 days subsequent to receiving the DE's report. Failure to respond to these recommendations will result in the school being ineligible to receive the assistance of the DE.

B. District's responsibilities for schools in School Improvement 4:

1. continue to adhere to the requirements of SI 3;
2. may enter into a partnership with the LDE to provide a DE to work with academically unacceptable schools to design the school's reconstitution plan;
3. assist schools with an additional requirement from corrective action list:
  - a. replace school staff;
  - b. implement new curriculum;
  - c. decrease management authority;
  - d. contract an outside expert;
  - e. extend the school year or school day;
  - f. restructure.

C. District's responsibilities to schools in School Improvement 5:

1. continue to adhere to the requirements of SI 4, where applicable;
2. if a district has any academically unacceptable schools and those schools' reconstitution plans are approved by the SBESE, the district shall implement the approved reconstitution plans and utilize the recalculated data from the end of the previous year, school performance scores and growth targets, provided by the state. If the reconstitution plans are not approved, the schools lose state funding;
3. assist all other SI 5 schools in designing their alternate governance (Title I schools) or "Reconstitution Light" Plans (non-Title I schools) for submission to SBESE for approval.

D. District's Responsibilities to Schools in School Improvement 6:

1. assist all schools with implementation of their alternate governance or "Reconstitution Light" Plans.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2748 (December 2003), amended LR 30:2745 (December 2004), LR 31:1516 (July 2005).

## Chapter 21. State-Level School Improvement Tasks

### §2101. State Support at Each Level

A. State's responsibilities to districts with schools in School Improvement 1:

1. provide diagnostic process for schools;
2. provide training for district assistance in needs assessments and data analysis;
3. work to secure new funding and/or redirect existing resources to help schools implement their improvement plans;

4. provide additional school improvement funds, as available;
5. provide training for District Assistance Teams;
6. work to secure new funding and/or redirect existing resources to help implement their improvement plans;
7. approve school choice plans;
8. provide additional school improvement funds, as available.

B. State's responsibilities to districts with schools in School Improvement 3

1. for academically unacceptable schools, the SBESE shall offer districts the opportunity to enter into a partnership for the assistance of a distinguished educator, as available;

2. provide an approved list of supplemental educational service providers;

3. provide additional school improvement funds, as available;

4. ensure that an external Scholastic Audit is completed for all SI3 schools as funding is available. If funding is limited, SI3 schools will be prioritized from lowest SPS to highest SPS, and Scholastic Audits will be conducted in rank order until funding is exhausted.

C. State's responsibilities to districts with Schools in School Improvement 4:

1. may provide a distinguished educator to academically unacceptable schools to assist in the development and design of the reconstitution plan, as available; and

2. provide additional school improvement funds, as available.

D. State's responsibilities to districts with Schools in School Improvement 5:

1. SBESE shall approve or disapprove reconstitution plans for academically unacceptable schools. If the SBESE approves the reconstitution plan, a partnership may be offered to the district for the assistance of a DE to support and assist with monitoring the implementation of the reconstitution plan for schools that fail to make adequate growth;

2. SBESE shall approve or disapprove alternate governance plans for Title I schools;

3. SBESE shall approve or disapprove "Reconstitution Light" plans for schools failing to meet their growth targets;

4. provide additional school improvement funds, as available;

5. monitor the implementation of all SI 5 academically unacceptable schools' reconstitution plans.

E. State's responsibilities to districts with Schools in School Improvement 6:



1. monitor the implementation of all reconstitution/alternate governance plans;

2. provide additional school improvement funds, as available.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2748 (December 2003), amended LR 30:2745 (December 2004), LR 31:1516 (July 2005), LR 32:1027 (June 2006).

## **Chapter 23. Reconstitution/Alternate Governance Plans**

### **§2301. Schools Requiring Reconstitution/Alternate Governance Plans**

A. Districts shall develop and submit a reconstitution/alternate governance plans to the SBES for approval by December 31st for the following types of schools.

1. Reconstitution Plan: AUS schools in SI 4.

a. The reconstitution plan indicates how the district shall remedy the school's inadequate growth in student performance. The plan shall specify how and what reorganization shall occur, how these plans are supported by research, and how/why these proposed changes shall lead to improved student performance.

b. Reconstitution plans submitted to BESE must include justification for any planned school closures, requests for site code changes, grade reconfigurations, and attendance zone changes that will impact the school in School Improvement 4, and BESE must approve the reconstitution plan before any such changes are implemented.

c. Once a Reconstitution Plan has been approved by BESE, any changes to the plan must be submitted to the LDE and approved by BESE prior to implementation.

2. "Reconstitution Light" Plan: non-Title I schools in SI 5 for failing the subgroup component and schools in academic assistance level 5 for failing to make their required growth.

3. Alternate Governance Plan: Title I schools in SI 5 for failing the subgroup component and/or academically unacceptable schools in SI 6.

a. The alternate governance plan indicates how the district shall make significant changes in the school's staffing and governance to improve student academic achievement in the school to be able to make adequate yearly progress.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2749 (December 2003), amended LR 31:1516 (July 2005), LR 31:2765 (November 2005).

## **Chapter 24. Recovery School District**

### **§2401. Recovery School District**

A. The Louisiana Legislature established the Recovery School District with the passage of R.S. 17:1990. A school is eligible for the Recovery School District under any of the following conditions.

1. The LEA fails to submit a reconstitution plan for a school in SI4 to BESE for approval.

2. A school's reconstitution plan is submitted to BESE but is deemed to be unacceptable.

3. A school in SI5 or 6 and/or the LEA fails to comply with the terms of a BESE approved reconstitution plan.

4. A school is labeled Academically Unacceptable for four consecutive years.

B. A school that enters the Recovery School District shall remain until:

1. it is no longer labeled Academically Unacceptable; and

2. BESE approves a proposal from the LEA for the return of the school that includes:

a. provisions for the continuation of the programs that have provided the basis for the improved academic achievement of the students; and

b. provisions providing for the continued employment of all persons employed by the Recovery School District or the operator of the school; and

c. provisions for the means and timetable for the school's transition and return to the jurisdiction of the LEA.

C. When a school in the Recovery School District is still Academically Unacceptable after four years, BESE shall take one of the following actions.

1. Revoke all school approval.

2. Require the Recovery School District to terminate the operational arrangement and provide a different operational arrangement.

3. Return the school to the jurisdiction of the city, parish, or other local public school board or other public entity from which it was transferred.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1028 (June 2006).

## **Chapter 25. School Choice**

### **§2501. Schools Requiring Choice**

A. An LEA must develop a school choice policy for schools that are:

1. academically unacceptable;

2. on the academic watch list;

3. Title I schools that:
  - a. have failed the subgroup component for one year;
  - b. in school improvement 2 or higher for subgroup component failure.

B. The SBES shall approve or disapprove an LEA's School Choice Policy.

C. Beginning with the 2003-04 school year, an LEA shall notify parents of their school choice options not later than the first day of the school year for the schools that must offer choice.

1. An LEA must offer more than one choice to eligible students, if more than one school is eligible to receive students.

2. The LEA must take into account the parents' preferences among the choices offered, or the LEA may allow parents to make the final decision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2749 (December 2003).

### **§2503. Student Eligibility**

A. An LEA must offer choice to all students in an eligible Title I school until the school is no longer identified for improvement, i.e., the school passes the subgroup component for two consecutive years and/or is no longer academically unacceptable EXCEPT:

1. if an eligible student exercises the option to transfer to another public school, an LEA must permit the student to remain in that school until he or she has completed the highest grade in the school. However, the LEA is no longer obligated to provide transportation for the student after the end of the school year in which the student's school of origin is no longer identified for school improvement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2749 (December 2003).

### **§2505. Transfer Options**

A. An LEA may consider health and safety factors in determining the transfer options. Should the LEA have concerns for health and safety factors, the LEA will need to find ways to provide choice consistent with their obligations to provide a healthy and safe learning environment.

B. An LEA that is subject to a desegregation plan is not exempt from offering students the option to transfer.

1. An LEA should first determine whether it is able to offer choice within the parameters of its desegregation plan.

2. If it is not able to do so, or if the desegregation plan forbids the LEA from offering the choice option, the LEA needs to seek court approval for amendments to the plan that permit a transfer option for students.

C. Students may not transfer to any school that is academically unacceptable or that has been identified for school improvement 2 or higher for subgroup component failure.

D. If there are no schools to which students can transfer, parents must be notified that their child's school is identified for school improvement and that the child is eligible for choice. The notification will further indicate that no choice options are currently available.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2750 (December 2003).

### **§2507. School Choice Policy**

A. If the SBES approves an LEA's School Choice Policy, the LEA must submit an annual status report to the SBES regarding the implementation and progress of the district's school choice policy.

B. If the SBES fails to approve an LEA's School Choice Plan, the implicated schools will lose their school approval status.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2750 (December 2003).

## **Chapter 27. Supplemental Educational Services**

### **§2701. Definition of Supplemental Services**

A. Supplemental educational services are defined by the United States Department of Education as "tutoring or extra help provided to students in reading, language arts/English, and math. This extra help can be provided before or after school, on weekends, or in the summer." The No Child Left Behind Act states that these services must be of high quality, research-based, and specifically designed to increase the academic achievement of eligible children.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2750 (December 2003), amended LR 30:764 (April 2004).

### **§2702. Supplemental Educational Service Models**

A. Louisiana's recommended model for the provision of effective supplemental educational services has three components:

1. Diagnostic assessment, or an appropriate process, to identify student weaknesses and achievement gaps that will be used to design instruction as well as to measure gains in student achievement for the purposes of provider accountability;

2. Targeted remediation/instruction aimed at addressing the individual skill gaps revealed during the assessment and based upon an individual learning plan; and

3. Post assessment to see if student gains occurred and a plan for either re-teaching skills or identifying new skill sets for instruction.

B. Student instruction will be in the areas of reading, English/Language arts, and/or mathematics in order to help students achieve academic proficiency and should be based on Louisiana's academic content standards and the local district's instructional plan.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:1644 (August 2003), LR 30:764 (April 2004).

### **§2703. Supplemental Service Providers**

A. Providers that meet the criteria specified by the Louisiana State Department of Education shall be included on the state-approved supplemental educational services provider list. The State Department of Education will post the list, beginning January 1, 2003. The provider list will be updated on a periodic basis, at least annually, as new providers are identified and meet the qualifications.

B. To be included on the approved list of supplemental educational service providers, applicants shall have met the following criteria:

1. be able to define a process for assessment that results in an individual instructional plan tied to content standards;

2. have a demonstrated level of effectiveness in increasing student academic achievement;

3. be capable of providing supplemental educational services that are of high-quality, research-based, and consistent with the instructional program of the local educational agency and the state's academic content standards;

4. provide instruction that is secular, neutral, and non-ideological;

5. be financially sound, use qualified staff, and possess the organizational capacity necessary to deliver the contracted services; and

6. meet all applicable federal, state, and local health, safety, and civil rights laws;

7. have a program accessible to students attending Title I schools in school improvement.

C. Two levels of service providers have been approved in Louisiana.

1. Full approval is for those supplemental education service providers who have demonstrated a high level of effectiveness and the ability to provide services immediately.

2. New and emerging program approval is for those supplemental education service providers who met the minimum requirements in each component of the application but lack evidence of successful practice and outcomes. Providers who are approved as a new and emerging program:

a. can only request to serve a total of up to 200 children during the first year;

b. would be categorized as a new and emerging provider in district correspondence to parents; and

c. would be required to participate in specially designed technical assistance modules throughout the year.

D. Both categories of supplemental education service providers must have demonstrated that they have met the minimum requirements in each component of the application as judged by a Reviewers' Panel.

E. All Louisiana applicants will have provisional approval for one year, must be able to demonstrate the capacity for meeting the minimum requirements, and can be removed for cause.

F. Examples of reasons why a provider could be removed from the list within the first year are:

1. the delivery of an SES model that was not as related in the approved application, or

2. the absence of criminal background checks of all employees coming into contact with students, which is a State law.

G. Providers may be nonprofit entities, for-profit entities, and local education agencies, including public and private schools, after-school centers, cooperative educational service agencies, institutions of higher education, and faith-based organizations.

H. Entities that cannot serve as providers include public schools identified for school improvement, restructuring or corrective action; and Local Education Agencies identified for school improvement (although schools within such an LEA that are making adequate yearly progress can be providers).

I. All SES provider applicants must have a "service delivery system" in place at the time of application. In other words, applicants must have a physical location or service infrastructure through which SES services are provided to eligible students.

J. In an effort to make services the most accessible to eligible Title I students, local education agencies are strongly encouraged by the Board of Elementary and Secondary Education to allow SES providers the use of school facilities at no cost to the provider.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2750 (December 2003), amended LR 30:764 (April 2004).

### **§2705. State Educational Agency Role and Responsibilities**

A. The SDE shall identify providers, maintain a list of providers, and monitor services. Specifically, the SDE shall:

1. consult with parents, teachers, LEAs, and interested members of the public to identify a large number of supplemental educational service providers;
2. provide and disseminate broadly an annual notice to potential providers the process for obtaining approval to be a provider of supplemental educational services;
3. develop and apply objective criteria for approving potential providers;
4. maintain an updated list of approved providers;
5. develop, implement, and publicly report on techniques for monitoring the quality and effectiveness of services offered by approved supplemental services providers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2750 (December 2003).

### **§2707. Local Educational Agency Role and Responsibilities**

A. Local educational agencies (LEAs) with schools in their second year of school improvement shall:

1. identify eligible students;
2. notify parents about the availability of services and the process for obtaining supplemental educational services for their child(ren) in an understandable and uniform format. This includes:
  - a. the identity of approved providers whose services are in the school district or within a reasonable proximity of the district;
3. help parents choose a provider, if such help is requested;
4. determine which students should receive services when all students cannot be served;
5. enter into an agreement with a provider selected by parents of an eligible student;
6. assist the State Educational Agency (SEA) in identifying potential providers within the LEA;
7. provide information to the SEA so that it can monitor the quality and effectiveness of the services offered by providers;
8. offer the opportunity for supplemental services until the school in question is no longer identified for school improvement according to the requirements of the No Child Left Behind Act. Further, the Board of Elementary and Secondary Education, for the purposes of supplemental educational services, defines "school year" as inclusive of

the summer months and strongly encourages LEAs to offer services to eligible students during this timeframe;

9. protect the privacy rights of students who receive supplemental educational services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003), amended LR 30:764 (April 2004).

### **§2709. Optional LEA Responsibilities**

A. Assist the State Department of Education in identifying potential providers within the school district.

B. Determine which are the lowest-achieving students who can receive services, if the demand for services exceeds the available supply.

C. Provide information to the State Department of Education to assist with monitoring the quality and effectiveness of the services offered.

D. Provide transportation to eligible students. Although the Board of Elementary and Secondary Education is aware that LEAs are not required by law to provide such services, it strongly encourages LEAs to provide transportation to eligible students in order to maximize their access and opportunities to improve academic achievement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003).

### **§2711. SES Agreement between Provider and LEA**

A. Each local education agency shall enter into an agreement with the SES provider selected by parents of eligible students. The agreements shall contain, at minimum:

1. a description of the research-based program to be utilized;
2. the location and amount of time of instructional service;
3. specific achievement goals;
4. a timetable for improving achievement;
5. methods for measuring and reporting progress;
6. how parents/guardians and teachers will be regularly informed of progress;
7. procedures the lea will use to pay the provider;
8. confidentiality of student identities;
9. conditions for termination of the agreement, including attendance regulations and requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003).

**§2713. SES Provider Responsibilities**

A. Entities that agree to become supplemental services providers must:

1. set specific achievement goals for the student, which must be developed in consultation with the student's parents;
2. provide a description of how the student's progress will be measured and how the student's parents and teachers will be regularly informed of that progress;
3. establish a timetable for improving the student's achievement;
4. agree to terminate services if student progress goals are not met;
5. agree not to disclose to the public the identity of any student eligible for or receiving supplemental educational services without the written permission of the student's parents; and
6. agree that services will be provided consistent with applicable civil rights laws.

B. Providers must also submit to the State Department of Education and the schools of all students served, a final written report that summarizes the progress of all students provided with supplemental services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:765 (April 2004).

**§2715. State Department of Education Approval and Monitoring of SES Providers**

A. Providers who wish to participate on the Louisiana Department of Education's state-approved SES Provider List must:

1. review and complete the Request for Application process;
2. review this Policies and Procedures document, which provides information about the state process;
3. review the Monitoring Section, which contains the criteria that the department will use to evaluate providers. It also contains information regarding complaint management and the evaluation of providers reported to be under performing or deficient in any way.

B. At least annually, a Reviewer's Panel will review applications received, score the applications and – for applications passing the scoring requirements – make recommendations of SES providers to the State Board of Elementary and Secondary Education.

C. The department reserves the right to approve all or specific subject areas and grades submitted by the provider.

D. The department will notify all applicants as to whether or not they have been approved to participate on the statewide SES Provider List.

E. All required documentation must be completed in order for provider to be added to the list.

F. Upon completion, the department will list the provider in its database of approved providers.

G. If selected for service by parents of eligible students, approved providers may be contacted by schools/districts to provide the approved services at the pricing terms approved at the state level, to the degree that they are within the per-pupil funding cap.

H. Providers wishing to alter the pricing terms to exceed the per-pupil funding cap must request approval from the appropriate State Department of Education staff person with the appropriate justification. The State Department of Education staff will render a decision regarding each request within 15 days.

I. Before providing services through this program, the provider must sign agreements with each student's LEA. Copies of this agreement must be available for inspection when providers are monitored by the department staff.

J. At the conclusion of the evaluation year as determined by the Department of Education, the provider is expected to submit to the Department and all schools of students served, a final written report that summarizes the progress of all students provided with supplemental services. The department will communicate the reporting format to each provider at least annually. This information will be used to help determine if a provider will remain on the state-approved list.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:765 (April 2004).

**§2717. Appealing State Department of Education SES Decisions**

A. If a provider disagrees and wishes to appeal a decision, a letter documenting the provider's concerns must be sent to the department.

B. The appeal letter will be reviewed and a final determination will be issued within 15 days.

C. There will be two types of appeals that can be made:

1. Clarifications. If clarification of an application item is needed, department staff will provide a written response regarding the item to the applicant.

2. Scoring Disputes. In cases where scoring is in dispute, the disputed section will be reviewed and a final determination will be issued by the superintendent regarding the results of the section in question.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:766 (April 2004).

### §2719. Remaining an SES Provider

A. The State Department of Education (SDE) is required to monitor the quality and effectiveness of the services offered by approved providers.

B. The SDE is required to withdraw approval from providers that fail, for two consecutive years, to contribute to increasing the academic proficiency of students to whom they provide services, and to remove providers that fail at any time to meet any of the other eligibility requirements or assurances.

C. A violation of any of the provider responsibilities may constitute grounds for immediate removal from the state-approved list.

D. During the first year of approval, a provider will be considered to have "probationary" status and may be removed for cause.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:766 (April 2004).

### §2721. Review of Provider Performance

A. The State Department of Education shall conduct site visits of approved providers at scheduled intervals to determine if providers are in compliance with providing services that increase student achievement, are provided professionally, and in a safe and legally compliant atmosphere.

B. Parent/Guardian and student feedback will be solicited and reviewed to assess whether providers are accomplishing the goals and fulfilling the responsibilities in the manner described in the providers' applications and agreement forms signed with the LEAs and parents. The department will seek to confirm that providers are:

1. communicating with parents/guardians regarding their children's progress;
2. utilizing qualified staff;
3. holding scheduled classes/appointments;
4. following applicable safety, health, and civil rights standards;
5. demonstrating improvement in the students' achievement.

C. The department will work with local schools/districts to confirm that providers are:

1. fulfilling requests for services to eligible students unless the provider's capacity is reached;
2. providing students with the agreed upon services;
3. completing all aspects noted in the agreement signed between the provider and the LEA;
4. communicating information to schools pertaining to their students' progress in the program;

5. demonstrating improvement in the students' achievement.

D. The department will work with providers to confirm that they are:

1. Providing students with the agreed upon services.
2. Completing all aspects noted in the agreement signed by the provider and the LEA.
3. Adhering to all agreements and responsibilities noted in all documents submitted as part of the RFA process.

E. Parent, student, and school feedback may necessitate the department to request written clarification from the provider. Should such a request of clarification be made, the provider is required to submit the requested information within 10 business days of the date the department made the request.

F. The LDOE *After School and Summer Information and Service Tracking* (ASSIST) System is designed to automate the tracking and reporting of after school and summer programs. The web-based system tracks students, site activities, site staff, student outcomes, student attendance and total contact hours for each program provider. SES Providers will be required to submit data to the LDOE through this mechanism.

G. If the Department of Education determines that one or more complaints about a provider have validity, the department may choose to commence a review of the provider. The complaints may arise from:

1. a school/school district;
2. a parent;
3. a student;
4. a representative of a governmental entity; or
5. a DOE annual review.

H. The department will acknowledge all reports received and will communicate the resolution to the source of the report. The department will require of any party bringing a complaint to explain and/or provide copies of all documents showing prior good-faith attempts to resolve the issue (except in cases of hazard, endangerment, etc.)

I. The department will, based on the nature of the complaint or deficient performance, first determine if a temporary suspension is appropriate. After review of the complaint, the department will then determine whether the state standards to participate on the List are being upheld. The provider shall be notified if it will continue to participate on the State-Approved List or be prohibited from continuing to provide services.

J. In the event that provider is suspended or terminated from the State-Approved List, the department will notify schools/districts in the provider's previously approved service area(s) of the provider's change in status.

K. Should a parent/guardian, student, or provider bring to the attention of the department an issue of complaint or

deficient performance regarding a school or district in relation to SES implementation, the department will bring the issue to the attention of the appropriate personnel in the school/district.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 30:766 (April 2004).

## Chapter 29. Progress Report

### §2901. State Annual Reporting

A. The SBESE shall report annually on the state's progress in reaching Louisiana's 2014 goal. The Louisiana Department of Education shall publish individual school reports to provide information on every school's performance. The school reports shall include the following information—school performance scores, percent proficient scores, and school progress in reaching growth targets. Beginning fall 2002, the LDE shall report subgroup performance to schools for the following subgroups—African American, American Indian/Alaskan Native, Asian, Hispanic, White, Economically Disadvantaged, Limited English Proficient, Students with Disabilities, and All Students.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003).

## Chapter 31. Data Correction and Appeals/Waivers Procedure

### §3101. Appeals/Waivers Process

A. An appeal/waiver procedure has been authorized by the State Board of Elementary and Secondary Education (SBESE) and shall be used to address unforeseen and aberrant factors impacting schools in Louisiana.

B. The LDE shall review appeal/waiver requests and make recommendations to the SBESE within 60 days, beginning the last day of the appeals/waiver filing period. Within this interval, the LDE shall notify LEAs of its recommendations and allow them to respond in writing. The LDE's recommendations and LEA responses will be forwarded to SBESE for final disposition.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003), amended LR 30:1620 (August 2004), repromulgated LR 30:1996 (September 2004), amended LR 30:2257 (October 2004), LR 31:2422 (October 2005).

### §3103. Definitions

*Appeal*—a request for the calculation or recalculation of the School Performance Score (SPS), growth target, and/or subgroup component scores based on the most recent spring test administration, and attendance and dropout data from the prior academic year.

*Waiver*—a temporary "withholding" of accountability decisions for no more than one accountability year. Waivers shall be denied to aggrieved parties attempting to subvert the intent of provisions outlined in the state statute.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003), amended LR 30:2258 (October 2004).

### §3105. General Guidelines—Parent/School-Level Requests

A. Parents or individual schools seeking an appeal or waiver on issues relating to Louisiana's District and School Accountability System shall file their requests, regardless of the type, through the superintendent, or appointed representative as authorized by the local governing board of education.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2752 (December 2003).

### §3107. General Guidelines—Local Board of Education-Level Requests

A. The superintendent or official representative of each local governing board of education shall complete the LDE's Appeals/Waivers Request Form and provide supporting documentation to the Division of School Standards, Accountability, and Assistance no later than 30 calendar days after the official release of the final accountability results in the fall of each year.

B. Data corrections shall be grounds for an appeal or waiver request when:

1. evidence attributes data errors to the LDE and/or those contractors used for the student assessment program; and/or

2. evidence attributes errors to the LEA. Requests concerning either the inclusion or exclusion of special education student scores in the calculations of a school's SPS and growth target, except as outlined in Bulletin 111, shall not be considered by the LDE.

C. Supporting documentation for appeal/waiver requests should clearly outline those data from the most recent spring tests administration, and attendance and dropout data from the prior academic year that are erroneous. Further, computations by the local boards of education should provide evidence that the school's SPS and/or subgroup component results are significantly affected by the data in question. The local school system shall be responsible for supplying the LDE with information necessary for recalculating the school's SPS and/or subgroup component results per LDE's instructions.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2752 (December 2003).

2003), amended LR 30:2258 (October 2004), LR 31:1516 (July 2005).

### **§3109. Criteria for Appeal**

A. LEA superintendents shall notify the LDE in writing of any changes to existing school configurations, changes to option status for alternative schools or pair/share status during the LDE accountability status verification process prior to the calculation of the school performance scores and subgroup component scores. Appeal recalculations shall be made using the information provided to the LDE in the following instances.

1. At least 10 percent of the students eligible for spring testing transferred into the school after October 1 of the same academic year from schools within the district (see §517).

a. Recalculations based on intra-district transfer shall exclude all such students from the growth calculation and the prior baseline calculation.

b. Any transfers resulting from school and district decisions shall not be included in recalculations (transfers to alternative programs, discipline centers, dropout prevention programs, pre-GED skills options programs, etc.).

c. Only changes in the Growth SPS and the Growth Label will be reflected on the School Report Cards.

d. No changes shall be made on the new Baseline SPS or the Performance Label.

2. An alternative school changes its option status by meeting the eligibility requirements.

3. A school's (inclusive of those paired or shared) enrollment has significantly changed by 50 percent or more from the previous academic year as a result of redistricting by the local governing board of education.

B. The LDE shall provide a report to the SBESE of all configuration, pair/share, or alternative option status changes.

C. If an LEA does not submit changes to school status to the LDE during the accountability status verification process, the LEA may petition the SBESE during the Appeals timeframe, after the SPS release. LEAs may petition the SBESE in instances not addressed by policy or in instances when the policy is unclear.

D. An LEA shall inform the LDE during the accountability status verification process of schools within the district that have been closed. An appeal shall be filed by the LEA in order to receive monetary rewards for any eligible closed school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2752 (December 2003), amended LR 30:1620 (August 2004), repromulgated LR 30:1997 (September 2004), amended LR 31:1517 (July 2005), LR 31:2423 (October 2005).

### **§3111. Criteria for Waiver**

A. Factors beyond the reasonable control of the local governing board of education and also beyond the reasonable control of the school exist.

B. A school lacks the statistically significant number of testing units for the CRT and NRT necessary to calculate the SPS and has no systematic "feeding" pattern into another school by which data could be "shared" because the school is:

1. a lab school;
2. a Type 1, 2, or 3 charter school;
3. operated by the Department of Corrections; or
4. beyond the sovereign borders of Louisiana;
5. an SSD #1 or #2 school;
6. a SBESE school;
7. non-diploma bound school.

C. The student body of the school (Pre-K through K-2) comprised of primarily Pre-K and K students (greater than 50 percent of the total student membership) and has no systematic "feeding" pattern into another school or schools by which it could be "paired."

1. *Feeding Pattern*—the plan used by local governing boards of education to transfer students from one school to another for educational services as a result of pupil progression into higher grades.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2752 (December 2003), amended LR 31:1517 (July 2005), LR 31:2423 (October 2005).

## **Chapter 33. New Schools and/or Significantly Reconfigured Schools**

### **§3301. Inclusion of New Schools**

A. For a newly formed school, the school district shall register the new school with the Louisiana Department of Education to have a site code assigned to that school. A new school shall not be created nor shall a new site code be issued in order to allow a school to avoid an accountability decision or prevent a school from entering the accountability system. Before a new school is created, the local education agency must work with the Louisiana Department of Education to explore ways the new school can be included in the accountability system.

B. When two or more schools are created from an existing school (e.g., grades 4-6 "split" from an existing K-6 structure, creating a K-3 school and a 4-6 school), the LEA must consult with the LDE prior to implementing such changes to determine how the impacted schools will retain reward and/or school improvement status and any sanctions, remedies, and funds (e.g., a 3-8 school in SI3 should retain the school improvement status in both schools if it is



reconfigured into a 3-5 and a 6-8 school and if all grade levels contributed to its poor performance). After this consultation, the LDE shall make all decisions regarding the effects of these changes on rewards, school improvement status, and sanctions for all schools effected by the changes and will notify the LEA of its decision.

C. New schools with one year of test data shall be included in accountability. For attendance and dropout data, LEA's will have the option of using:

1. the district average for schools in the same category as the new school; or
2. data from the prior year, if whole grade levels from an existing school or schools moved to the new school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003), amended LR 31:2765 (November 2005).

### **§3303. Reconfigured Schools**

A. Prior to any reconfiguration, the LDE will review the changes to school sites in the reconfiguration and will consult with the LEA on the effects that the reconfiguration will have on rewards and/or school improvement status. After this consultation, the LDE shall make all decisions regarding the effects of these changes on rewards, school improvement status, and sanctions for all schools effected by the changes and will notify the LEA of its decision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003), amended LR 30:2446 (November 2004), LR 31:2765 (November 2005).

## **Chapter 35. Inclusion of Alternative Education Students**

### **§3501. Option Choices**

A. Each superintendent, in conjunction with the alternative school director, shall choose from one of two options for including alternative education students in the Louisiana Accountability System for the system's alternative education schools.

B. Any child who is in the custody of the office of juvenile services, Department of Public Safety and Corrections, as a result of being an adjudicated delinquent or in need of supervision by a court and assigned by the office of juvenile services to a community-based program or facility, as provided for in R.S. 17:100.1, shall be provided educational services pursuant to R.S. 17:100.1.

1. For those LEA's providing educational services directly to students in these programs/facilities, the LEA must designate the program/facility as an Option 1 or Option 2 alternative school, and the students' assessment, dropout and attendance results shall be included in the LEA's data for district accountability purposes.

2. Subject to the requirements of R.S. 17:100.1(B), any city or parish school board may contract for the provision of educational services for children described in Subsection B of this Section.

a. If an LEA does satisfy its educational obligations by contract, the program/facility shall be designated as an Option 2 alternative school and will receive its own SPS.

b. The assessment, dropout and attendance results for these students shall not be included in the local school district's data for district accountability purposes.

c. The assessment, dropout and attendance results for these students shall be included in a "R.S. 17:100.1 school district" for accountability purposes. The department shall have the discretion to create multiple "R.S. 17:100.1 school districts" so that the accountability data accurately reflects the operation of the various programs/facilities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003), amended 31:423 (February 2005).

### **§3503. Option I**

A. The testing score, and beginning in 2007 with the Baseline SPS, the attendance, dropout, and graduation data for every alternative education student at a given alternative school shall be returned to ("sent back") and included in the home-based school's and district's accountability calculations for both the SPS and subgroup components. The alternative school itself shall receive a "diagnostic" SPS, not to be used for rewards or corrective actions, if a statistically valid number of students were enrolled in the school at the time of testing.

B. Students included in the GED/Skills Option program will be included in school accountability. They will be required to take the 9th grade Iowa Test (beginning in 2006, the Iowa Test is replaced by the iLEAP) or participate in LEAP Alternate Assessment Level 1 or Level 2 (LAA 1 or 2) while enrolled. All programs will be considered Option I for alternative education purposes, and student test score data, and beginning in 2007 with the Baseline SPS, the attendance, dropout, and graduation data will be sent back to the sending high schools and districts for accountability purposes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003), amended LR 30:2446 (November 2004), LR 32:1028 (June 2006).

### **§3505. Option II**

A. The score for every alternative education student shall remain at the alternative school. The alternative school shall be given its own accountability results, including an SPS and growth target, and subgroup performance data which makes the alternative school eligible for rewards and school improvement.

B. In order to be eligible for Option II, an alternative school shall meet all of the following requirements:

1. the alternative school must have its own site code and operate as a school;

2. the alternative school must have a required minimum number of students in the tested grade levels; the definition of required minimum is stated in §519; and at least 50 percent of the total school population must have been enrolled in the school for the entire school year, October 1 - May 1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003).

### **§3507. Option Considerations**

A. Once an option is selected for an alternative school, it shall remain in that option for at least 10 years. An appeal to the SBESE may be made to change the option status prior to the end of 10 years if a school's purpose and/or student eligibility changes.

B. All students pursuing a regular high school diploma, working in curricula developed from Louisiana Content Standards, shall be included in the state-testing program, with those scores included in an SPS, and scores from CRT assessments included in the subgroup component.

1. Information on these students (e.g., number receiving a GED) shall be reported in the school's report card as a sub-report.

C. An alternative school in school improvement 3 or higher may request some flexibility in obtaining assistance from either a Distinguished Educator (DE) or a team designed to address the special needs of the alternative school population, as long as the total costs of the team do not exceed that for the DE. Sample team members could include the following—social workers, psychologists, educational diagnosticians, and counselors, etc.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003).

## **Chapter 37. Inclusion of Lab Schools and Charter Schools**

### **§3701. Special Consideration of Lab and Charter Schools**

A. Such schools shall be included in the Louisiana Accountability System following the same rules that apply to traditional and/or alternative schools. The only exceptions are lab schools and Type 1, 2, and 3 charter schools that are independent schools and cannot be paired or shared with another school if they do not have at least one CRT and one NRT grade level, and/or if there is no home-based district school to which a given student's scores can be returned if all

three conditions for Option II cannot be met. Therefore, if they do not have the required grade levels and/or required minimum number of students, such schools cannot receive an SPS. However, if they meet the requirements for accountability under the subgroup component, these analyses will be conducted, and school improvement and rewards decisions will be based on these results. If neither the SPS or subgroup component can be applied, the state shall publish the results from pre- and post-test student achievement results, as well as other relevant accountability data, as part of that school's report card and will include the results of these students in the aggregate state accountability report.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003).

## **Chapter 39. Inclusion of Students with Disabilities**

### **§3901. Assessment of Students with Disabilities**

A. All students, including those with disabilities, shall participate in Louisiana's testing program. The scores of all students who are eligible to take the CRT, NRT, and LAA shall be included in the calculation of the SPS. Most students with disabilities shall take the CRT and the NRT with accommodations, if required by their Individualized Education Program (IEP). Only students with significant cognitive disabilities are eligible to participate in LEAP Alternate Assessment (LAA) as defined by the LEAP alternate assessment participation criteria. Beginning with the spring 2004 statewide assessment, LAA-B shall be eliminated from the Louisiana Education Assessment Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003).

### **§3903. LEAP Alternate Assessment Participation Criteria**

A. A student participating in LEAP alternate assessment shall progress toward a certificate of achievement.

B. To be eligible for participation in LEAP Alternate assessment, the student shall:

1. have a current multidisciplinary evaluation of the following exceptionalities:

- a. moderate mental disability;
- b. severe mental disability;
- c. profound mental disability; or

d. have a current multidisciplinary evaluation of the following exceptionalities AND have an assessed level of intellectual functioning and adaptive behavior three or more standard deviations below the mean:

- i. multiple disabilities;
- ii. traumatic brain injury;
- iii. autism.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003).

### **§3905. Inclusion of Alternate Assessment Results**

A. Beginning with the 2002-2003 Baseline SPS, LAA test scores shall be included in all SPS and Subgroup AYP calculations.

B. LAA scores shall be converted according to the following scale.

LAA Score	Level	CRT/NRT Points
0.00-0.49	Unsatisfactory	0
0.50-2.49	Approaching Basic	50
2.50-3.49	Basic	100
3.50-4.49	Mastery	150
4.50-5.00	Advanced	200

1. Students taking alternate assessments shall be included in accountability calculations at the grade level in which they are enrolled in the Student Information System (SIS).

2. Students taking LAA who do not meet the alternate assessment participation criteria shall receive a score of zero in SPS component calculations and a score of non-proficient in subgroup component calculations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 31:1517 (July 2005).

## **Chapter 40. Definitions Related to English Proficiency**

### **§4001. Proficient in English**

A. To be considered English proficient a student who is limited English proficient must score for:

1. Two Years
  - a. at either the proficient level according to the state's high stakes testing policy on LEAP 21 assessments, and/or
  - b. at or above the 40th percentile composite score on IOWA, and
2. One Year
  - a. at the Full English Proficiency Level V on the English Language Development Assessment in listening, speaking, reading, writing, and comprehension.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:767 (April 2004).

### **§4003. Making Progress in Learning English**

A. Making progress in learning English will be demonstrated by a student who moves to a higher level of English proficiency as indicated by the annual assessment of English language proficiency using the English Language Development Assessment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:767 (April 2004).

### **§4005. English Language Proficiency Descriptors**

A. English Language Proficiency Labels are defined as:

1. Level I-Beginning Proficiency indicates that the student who is limited English proficient is:

- a. beginning to understand short utterances;
- b. beginning to use gestures and simple words to communicate;
- c. beginning to understand simple printed material
- d. beginning to develop communicative writing skills.

2. Level II-Lower Intermediate Proficiency indicates that the student who is limited English can:

- a. understand simple statements, directions, and questions;
- b. use appropriate strategies to initiate and respond to simple conversation;
- c. understand the general message of basic reading passages;
- d. compose short informative passages on familiar topics.

3. Level III-Upper Intermediate Proficiency indicates that the student who is limited English proficient can:

- a. Level III-Upper Intermediate Proficiency indicates that the student who is limited English proficient can:
  - a. understand standard speech delivered in most settings;
  - b. communicate orally with some hesitation;
  - c. understand descriptive material within familiar contexts and some complex narratives;
  - d. Write simple texts and short reports.

4. Level IV-Advanced Proficiency indicates that the student who is limited English proficient can:

- a. identify the main ideas and relevant details of discussions or presentations on a wide range of topics;

b. actively engage in most communicative situations familiar or unfamiliar;

c. understand the context of most text in academic areas with support;

d. write multi-paragraph essays, journal entries, personal/business, and creative texts in an organized fashion with some errors.

5. Level V-Full English Proficiency indicates that the student who is limited English proficient can:

a. understand and identify the main ideas and relevant details of extended discussion or presentations on familiar and unfamiliar topics

b. Is fluent and accurate in language production

c. Use reading strategies the same as their native English-speaking peers to derive meaning from a wide range of both social and academic texts

d. Write fluently using language structures, technical vocabulary, and appropriate writing conventions with some circumlocutions

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:767 (April 2004).

## **Chapter 41. Data Collection and Data Verification**

### **§4101. Valid Data Considerations**

A. An Unusual Data Result (UDR) shall be defined as any CRT, NRT, attendance, dropout, and graduation data that exceeds a parameter or a range of parameters, which shall be determined by the LDE and approved by the SBESE. Irregular data shall be defined as any data, which appears to contradict results, which are otherwise expected; unrealistic information; or data generated as a result of defective data collection or processing.

B. A test score shall be entered for all eligible students within a given school. For any eligible student who does not take the test, including those who are absent, a score of "0" on the CRT and NRT shall be calculated in the school's SPS. To assist a school in dealing with absent students, the Louisiana Department of Education shall provide an extended testing period for test administration. The only exceptions to this policy are students who were sick, whose family member(s) died, or who were in protective custody during the test and re-testing periods and who have formal documentation for that period.

C. The LDE shall evaluate the accountability results each year to identify irregular data and Unusual Data Results.

1. The LDE will select a sample of schools to investigate.

2. Districts shall be notified of the schools with irregular or unusual data that they must investigate themselves.

a. The LDE will identify the specific areas of concern.

b. The District will provide a written report explaining the irregular or unusual data within 60 days of notification by the LDE.

D. If inaccurate, invalid, and/or undocumented data is discovered and was or will be used in the calculation of School Performance Scores or Subgroup Adequate Yearly Progress determinations, the LDE shall correct and/or void the data.

1. For example, if four students in fall 2005 are coded as "out-of-state" transfers, it is determined in August 2006 that no documentation exists to support this exit code, and the students are not found enrolled in another Louisiana school; these four students will be changed to dropouts and counted as such in the dropout adjustment and non-dropout rates in the final fall 2006 accountability results, and if applicable, in the appropriate cohort for any graduation index calculations beginning in 2007.

2. In any instance where the inaccurate, invalid, and/or undocumented data was used in a previous year's accountability results, the LDE will evaluate the impact of the data and recommend to BESE any repayment of rewards or school improvement funds indicated by the recalculation of accountability results.

E. The LDE will notify in writing the superintendent of the LEA associated with any school where data is corrected and/or voided or where rewards must be repaid.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 30:2446 (November 2004), LR 32:1028 (June 2006).

### **§4103. NRT and CRT Data**

A. For NRT and CRT data:

1. if there is evidence of irregular data or a UDR, the LDE shall require the LEA to investigate. The LEA shall report the results of its investigation to the State Superintendent of Education;

2. if the State Superintendent of Education determines that the results of the investigation do not sufficiently explain the data, s/he shall designate a team to visit the school and conduct its own investigation:

a. if the test data is determined to be inaccurate, invalid, and/or undocumented the LDE shall void or correct the data as described in §4101;

3. if the gains are validated by the visit, the school will be designated a "pacesetter" school. If the gains cannot be validated, the State Superintendent of Education may initiate further action.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2755 (December 2003), LR 32:1029 (June 2006).

#### **§4104. Attendance and Dropout/Exit Data**

A. The LDE may review and validate attendance, dropout, and exit code data:

1. due to an Unusual Data Result or irregular data;
2. while at a school or district site primarily to investigate other data or records;
3. during a random data audit.

B. If attendance data reported to the LDE through the Student Information System is found to differ from that in the teacher roll books, the LDE shall void or correct the data to match the roll books as described in §4101.

C. If there is insufficient documentation to validate the use of any student exit codes, the LDE shall void or correct the data as described in §4101.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 32:1029 (June 2006).

#### **§4105. Reported Irregularities**

A. The LDE will determine and the SBESE shall approve a process for the public to report possible irregularities.

B. Anonymous complaints may be investigated.

C. All signed complaints shall be investigated.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2755 (December 2003).

## **Chapter 43. District Accountability**

#### **§4301. Inclusion of All Districts**

A. Every school district shall participate in a district accountability system based on the performance of schools as approved by the Louisiana State Board of Elementary and Secondary Education (SBESE).

B. Indicators for District Accountability. There shall be three statistics reported for each school district for district accountability:

1. a District Performance Score (DPS);
2. a District Responsibility Index (DRI); and
3. a Subgroup Component.

C. District Performance Score (DPS). A District Performance Score (DPS) shall be calculated in the same manner as a SPS, aggregating all of the students in the district.

1. Assessment data from students enrolled in a district for a full academic year shall be used to calculate the DPS.

2. The DPS shall be reported as a numeric value and a label shall be assigned based on the numeric value.

D. District Responsibility Index (DRI). A District Responsibility Index (DRI) shall be the weighted average of four indicators with each indicator to be expressed as an index. A score of 100 = good and a score of 150 = excellent.

E. The DRI indicators:

1. summer school;
2. the change in SPS for all schools relative to growth targets;
3. the change in LEAP 21 first-time passing rate from one year to the next; and
4. certified teachers.

<sup>1</sup>Indicators for school finance and graduation rate of high school students may be considered in the calculation of the district responsibility index at a later date.

Indicators and Weights	
Indicator	Weighting
1. Summer School.	30% (Part A 15% + Part B 15%)
2. The change in SPS for all schools relative to growth targets.	25%
3. The change in LEAP 21 first-time passing rate from one year to the next.	25% (Part A 12.5% + Part B 12.5%)
4. Certified Teachers	20% (Part A 15% + Part B 5%)

F. Subgroup Component. District AYP shall be determined by evaluating the performance of subgroups as defined below.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:10.1.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education, LR 29:2755 (December 2003), amended LR 30:1446 (July 2004), LR 32:543 (April 2006).

#### **§4303. Indicator 1—Summer School**

A. The Louisiana Department of Education shall use two statistics when calculating an index score for summer school.

1. Part A—The percentage passing summer LEAP 21 tests.

a. The Louisiana Department of Education shall calculate the percentage passing summer LEAP 21 tests by using the number of students who scored unsatisfactory failed high-stakes testing in the previous spring as the denominator. The scores results of first-time students shall be included (i.e., not students who are repeating the grade because of a score of unsatisfactory failure in the previous year). This statistic shall include grades 4 and 8 and shall be weighted by the number of students failing each test high-stakes testing in the previous spring. English language arts (ELA) and mathematics shall be counted separately. The

numerator and denominator shall be the sum of counts in grade 4 ELA and mathematics plus grade 8 ELA and mathematics. Students' summer school results shall be attributed to the district in which they took the summer test.

b. Formula for converting Part A to an index:  
 $2.5 * (\text{percent passing} + 5)$ . Implications of index for Part A:

- i. 35 percent passing of summer tests shall yield an index of 100;
- ii. 55 percent passing of summer tests shall yield an index of 150.

2. Part B—The change in scale scores on LEAP 21 from spring to summer for scores that are unsatisfactory of students who failed high-stakes testing in the spring.

a. The Louisiana Department of Education shall use the mean change in scale scores on LEAP 21 from the spring to the summer administration, for all scores that were unsatisfactory contributing to the students' failures in the spring administration. The scores of first-time students shall be included (i.e., not students who are repeating the grade because of a score of unsatisfactory in the previous year). If a student is tested in the spring but not in the summer, the change for that student's score shall be "0." If a student is tested in the summer but not in the spring, the spring score shall be assumed to be the 10th percentile of students tested in the spring. Four averages shall be computed for each district, ELA and mathematics for both 4th and 8th grades. The district score shall be the weighted average of the four results. Students' summer school results shall be attributed to the district in which they took the summer test.

b. Formula for converting Part B to an index: $5 * (\text{average scale score gain})$ . Implications of index Part B:

- i. a scale score gain of 20 points shall yield an index of 100;
- ii. a scale score gain of 30 points shall yield an index of 150.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2755 (December 2003), amended LR 31:1256 (July 2005).

#### **§4305. Indicator 2—The Change in SPS for All Schools Relative to Growth Targets**

A. The Louisiana Department of Education shall compute the change in School Performance Scores (SPSs) for all schools in the district. The relative change in SPSs for all schools shall be the weighted sum of gains (weighted by the school's enrollment) divided by the weighted sum of growth targets.

B. Formula for converting to an index— $100 * (\text{the relative change in SPS})$ . Implications of index:

1. all schools meeting their growth targets shall yield an index of 100;

2. all schools achieving 1.5 times their growth targets shall yield an index of 150.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2756 (December 2003).

#### **§4307. Indicator 3—The Change in LEAP 21 First-Time Passing Rate from One Year to the Next**

A. The Louisiana Department of Education shall calculate the simple average of two statistics when calculating an index score for the change in LEAP 21 first-time passing rate from one year to the next. The scores of first-time test-takers shall be used for each statistic.

##### **B. Part A—Percent Passing**

1. Formula for converting Part A to an index— $3.333 * (\text{percent passing} - 50)$ .

2. Implications of index for Part A:

- a. an 80 percent pass rate shall yield an index of 100;
- b. a 95 percent pass rate shall yield an index of 150.

##### **C. Part B: Improvement in Percentage Passing**

1. The high-stakes testing policy changed in 2004 and requires a one-year transition for district accountability.

a. For 2004 this indicator shall be calculated twice and the higher value used for 2004 district scores:

i. using the 2003 high-stakes testing policy (students must score at least Approaching Basic on both ELA and math) to establish the passing rates in 2003 and 2004;

ii. using the 2004 high-stakes testing policy (students must score at least Basic in either ELA or math and at least Approaching Basic in the remaining high-stakes subject) to establish the passing rates in 2003 and 2004.

2. Formula for converting Part B to an index:  $25 * (\text{change in passing rate} + 2)$ .

3. Implications of index for Part B:

- a. a two percent increase yields an index of 100;
- b. a four percent increase yields an index of 150.

4. The results of Part B shall be limited to a minimum value of "0" and a maximum of "200."

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2756 (December 2003), amended LR 31:913 (April 2005).

#### **§4309. Indicator 4—Classes Taught by Certified Teachers**

A. For the purpose of district accountability, the Louisiana Department of Education shall define certified

teachers as those who hold a standard teaching certificate<sup>1</sup> in the state of Louisiana or who have been certified in accordance with the 12-hour rule. The Louisiana Department of Education shall use two statistics (listed below in B) when calculating an index score for the percentage of state core classes (English Language Arts, mathematics, science, social studies) taught by certified teachers.

B. Part A: The percentage of state core classes taught by certified teachers in schools with a performance label of one star or below. The Louisiana Department of Education shall calculate this statistic by multiplying 100 times the number of state core classes taught by certified teachers in the district, divided by the total number of state core classes taught in the district. If no schools in the district are scoring below an SPS of 80, Part A of this indicator shall not apply and the total weight of this indicator shall be applied to Part B.

1. Formula for converting Part A to an index:  $5 \times (\text{percent of state core classes taught by certified teachers} - 70)$ .

2. Implications of index for Part A:

- a. 90 percent of state core classes taught by certified teachers shall yield an index of 100;
- b. 100 percent of state core classes taught by certified teachers shall yield an index of 150.

C. Part B: The percentage of state core classes taught by certified teachers in the district. The Louisiana Department of Education shall calculate this statistic by multiplying 100 times the number of state core classes taught by certified teachers in the district divided by the number of state core classes taught in the district.

1. Formula for converting Part B to an index:  $5 \times (\text{percent of state core classes taught by certified teachers} - 70)$

2. Implications of index for Part B:

- a. 90 percent of state core classes taught by certified teachers shall yield an index of 100;
- b. 100 percent of state core classes taught by certified teachers shall yield an index of 150.

NOTE: Reference Bulletin 746.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2756 (December 2003), amended LR 30:1447 (July 2004).

#### **§4310. Subgroup Component AYP (Adequate Yearly Progress)**

##### **A. District Subgroup Component Indicators**

1. Each district shall be evaluated on the subgroup component at three different levels (grade-clusters); elementary (K-5), middle (6-8), and high school (9-12). A district shall pass the subgroup component provided that each subgroup of students within each grade-cluster meets

the passes the subgroup component, and each grade-cluster the district, as a whole, meets the criteria for status or improvement on the additional academic indicator.

##### **a. Passing the Subgroup Component**

i. Participation rate test: 95 percent of the students within the each subgroup within each grade-cluster participated in the standards-based assessments; and

ii. Annual Measurable Objective status test (AMO status test): the subgroup percent proficient score within each grade-cluster is at/or above the annual measurable objective in ELA and mathematics; or

##### **iii. Safe harbor test:**

(a). the percentage of non-proficient students within the each subgroup within each grade-cluster reduced declined by at least 10 percent of the previous year's value; and

(b). the subgroup improved or met the criterion on the additional academic indicator (attendance rate for the elementary and middle schools grade-clusters and non-dropout rate for the high schools grade-cluster).

b. 2002-03 will be year one of judging districts based on the subgroup component.

c. 2003-04 will be year two of judging districts based on the subgroup component.

d. For the non-proficient reduction portion of the safe harbor test, a comparison of current year assessment data to the previous year assessment data shall be used. For the additional academic indicator check for the safe harbor test and for the whole grade-cluster district check, attendance and dropout data from two years the prior year will be compared to data from three years prior.

e. To ensure high levels of reliability, Louisiana will apply a 99 percent confidence interval to the calculations of subgroup component determinations for:

- i. AMO status test;
- ii. reduction of non-proficient students (safe harbor test); and
- iii. status attendance/non-dropout rate analyses.

f. Louisiana will not apply a confidence interval to improvement analyses for attendance/non-dropout rate.

##### **B. Inclusion of Students in the Subgroup Component**

1. Students that meet the following criteria shall be included in all subgroup component analyses for the AMO status test and reduction of non-proficient students (safe harbor test).

##### **a. Enrolled for the Full Academic Year (FAY):**

- i. at school level enrolled at the school on Oct. 1 and the date of testing;
- ii. at district level enrolled in the district on Oct. 1 and the date of testing;

iii. at state level enrolled in a public LEA in the state on Oct. 1 and the date of testing.

b. First administration of the test:

i. only the first test administration will be used for the subgroup status and growth tests;

ii. excludes summer school results and repeaters.

c. Not exempted from testing due to medical illness, death of the student's family member(s), or the student being identified as LEP and in an English-speaking school for less than one full academic year.

2. For analyses involving the additional academic indicator, all students in each subgroup within each grade-cluster in the district shall be included.

3. Each subgroup (African American, American Indian/Alaskan Native, Asian, Hispanic, White, Economically Disadvantaged, Limited English Proficient, Students with Disabilities, and All Students) within each district shall be evaluated separately on ELA and mathematics. In calculating the subgroup component for a district:

a. the alternate academic achievement standards for students participating in LAA 1 will be used, provided that the percentage of proficient LAA 1 students does not exceed 2.0 percent of all students in the grades assessed. If the district exceeds the 1.0 percent proficient cap, the district shall request a waiver. The students exceeding the cap shall be assigned a zero on the assessment and be considered non-proficient if:

i. the district fails to request the waiver; or

ii. the district requests the waiver but it is determined by LDE that ineligible students were administered LAA 1;

b. the modified academic achievement standards for students participating in LAA 2 will be used, provided that the percentage of proficient LAA 2 students does not exceed 2.0 percent of all students in the grades assessed. If the district exceeds the 2.0 percent proficient cap, the district shall request a waiver. The students exceeding the cap shall be assigned a zero on the assessment and be considered non-proficient if:

i. the district fails to request the waiver or;

ii. the district requests the waiver but it is determined by LDE that ineligible students were administered LAA 2;

c. students participating in LAA 1 or LAA 2 shall be included in the special education subgroup;

d. LEP students shall participate in the statewide assessments:

i. scores shall not be included in AMO or improvement in Percent Proficient calculations for LEP students who have not been enrolled in an English-speaking school for one full school year.

4. Subgroups shall consist of:

a. at least 10 students in order to be evaluated for the subgroup component;

b. at least 40 students in order to be evaluated for the 95 percent participation rate.

5. Subgroups shall pass the participation rate test and either the AMO status test; or the safe harbor test in order to be considered as having passed the subgroup /component.

#### C. AMO

1. The Annual Measurable Objective (AMO) is the percent of students required to reach the proficient level in a given year on the standards-based assessments, which through 2005 will include English/language arts and mathematics tests for 4th, 8th, and 10th grades.

a. Proficient = a score of basic, mastery or advanced.

2. As required in NCLB, the AMOs have been established based on the baseline percent proficient score (proficient = CRT level of basic, mastery, or advanced) in English-language arts and mathematics in the 20th percentile school, using the 2002 CRT test scores in ELA and mathematics for grades 4, 8, and 10.

3. The AMOs for ELA and math are as follows.

School Year	ELA	Mathematics
2001-2002		
2002-2003	36.9%	30.1%
2003-2004	36.9%	30.1%
2004-2005	47.4%	41.8%
2005-2006	47.4%	41.8%
2006-2007	47.4%	41.8%
2007-2008	57.9%	53.5%
2008-2009	57.9%	53.5%
2009-2010	57.9%	53.5%
2010-2011	68.4%	65.2%
2011-2012	78.9%	76.9%
2012-2013	89.4%	88.6%
2013-2014	100.0%	100.0%

4. A 99 percent confidence interval shall be used when evaluating whether subgroups within a grade-cluster within a district have attained the Annual Measurable Objective (AMO).

5. A confidence interval is a statistic that creates a range of scores. Subgroups with a 95 percent participation rate that attain a percent proficient score within or above the confidence interval range for the AMO shall be considered as having passed the subgroup component. Confidence interval ranges are affected by subgroup size. Smaller subgroups will have a wider range and larger subgroups will have a narrower range.

#### D. Safe Harbor

1. Subgroups that do not pass the AMO status test by attaining a percent proficient score within or above the confidence interval range shall be evaluated for safe harbor.



2. Safe harbor is attained if:

a. the subgroup makes a 10 percent reduction in its non-proficiency rate from the previous year:

i. a 99 percent confidence interval is applied to this reduction check; and

b. the subgroup:

i. achieves a 90 percent non-dropout rate (9-12) or attendance rate (K-5, 6-8) (any LEA without a 12th grade shall use attendance rate). (A 99 percent confidence interval is applied to the 90 percent attendance rate and 90 percent non-dropout rate check); or

ii. makes at least 0.1 percent improvement in non-dropout rate (9-12) or attendance rate (K-5, 6-8) from the previous year (any LEA without a 12th grade shall use attendance rate).

3. The non-dropout rate shall be evaluated for students in grade 9 and above.

4. Subgroups passing the participation rate test and achieving safe harbor shall be considered as having passed the subgroup component.

E. Failing the Subgroup Component

1. A district shall fail the subgroup component if ANY subgroup within that ANY grade-cluster in the district fails the participation rate test, the ELA or math AMO status test and the safe harbor test.

2. A grade-cluster district in which all subgroups have passed the subgroup component must also have the grade-cluster district pass the additional academic indicator:

a. achieved a 90 percent non-dropout rate (9-12) or attendance rate (K-5, 6-8) (any LEA without a 12th grade shall use attendance rate). (A 99 percent confidence interval is applied to the 90 percent non-dropout or attendance rate check.); or

b. made at least 0.1 percent improvement in non-dropout rate (9-12) or attendance rate (K-5, 6-8) from two years prior to the previous year (any LEA without a 12th grade shall use attendance rate).

NOTE: If a grade-cluster district in which all subgroups have passed the subgroup component does not pass the additional academic indicator, it shall not pass the subgroup component.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1447 (July 2004), amended LR 30:2446 (November 2004), LR 31:424 (February 2005), LR 31:633 (March 2005), LR 31:913 (April 2005), LR 32:1029 (June 2006).

**§4311. Performance Labels**

A. Districts shall be assigned a DPS performance label as follows.

1. A district shall not receive a label for its district performance score.

Performance Label	District Performance Score
Academically Unacceptable	Below 45.0
Academic Warning*	45.0 – 59.9
★	60.0 – 79.9
★★	80.0 – 99.9
★★★	100.0 – 119.9
★★★★	120.0 – 139.9
★★★★★	140.0 and above

\*Effective with the 2005 performance labels, the definition of an academically unacceptable district shall be any district with a DPS below 60.0. The academic warning label will be used only with the 2003 and 2004 district performance scores.

B. A label shall be reported for the District Responsibility Index (DRI) and for each of the four indicators.

District Responsibility Index	DRI Label
120.0 or more	Highly responsive
100.0 – 119.9	Adequately responsive
80.0 – 99.9	Responsive
60.0 – 79.9	Minimally responsive
0.0 – 59.9	Unresponsive

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2757 (December 2003), amended LR 30:1449 (July 2004), LR 31:635 (March 2005).

**§4313. Corrective Actions**

A. The Louisiana Department of Education shall report district scores and labels on every school district. Consequences imposed on a district shall be based on its District Responsibility Index (DRI). Any district receiving a performance label of unsatisfactory for its DRI shall become subject to an operational audit. If a district scores unsatisfactory again within two years, the SBESE shall have the authority to act on the audit findings, including the withholding of funds to which the district might otherwise be entitled.

B. Beginning in 2004, districts shall be evaluated on their District Responsibility Index Label and on the subgroup component. Districts that receive a DRI Index label of Unresponsive and/or fail to achieve Adequate Yearly Progress (AYP) in the subgroup component shall complete district self-assessments and submit it to the Louisiana Department of Education.

1. The DOE shall review each self-assessment.

2. The DOE may recommend that BESE schedule a District Dialogue with the district.

3. Beginning in 2004, districts that fail to achieve adequate yearly progress will complete a self-assessment only after being identified for district improvement as described below in Subsection C.

C. Districts that receive a DRI Index label of "unresponsive" for a second consecutive year and/or are identified for improvement by the subgroup component shall

write district improvement plans based on the prior years' self-assessments and submit those plans to the LDE.

1. A district is identified for improvement when it fails in all grade-clusters, in the same subject, to achieve subgroup AYP for two consecutive years.

a. For 2004 only, districts that failed subgroup AYP in 2003 and who fail all three grade-clusters in the same subject as they failed in 2003, will be identified for district improvement.

2. The DOE shall review each District Improvement Plan.

3. The DOE may recommend that BESE schedule a District Dialogue with the District.

D. Districts that receive a DRI Index label of Unresponsive and/or fail in all grade-clusters, in the same subject, to achieve AYP in the subgroup component for a third consecutive year shall be audited by the LDE. The audit shall include academic, fiscal, and support services.

E. BESE shall take action on the findings of the prior years audit for districts that receive a DRI Index label of Unresponsive and/or fail in all grade-clusters, in the same subject, to achieve AYP in the subgroup component for a fourth consecutive year. Actions taken shall be dependent upon whether identification was through the DRI label or the subgroup component.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2757 (December 2003), amended LR 30:1449 (July 2004), LR 31:424 (February 2005), LR 31:635 (March 2005), LR 31:1256 (July 2005).

#### **§4315. Progress Report**

A. The Louisiana Department of Education shall publish a district accountability report. The report shall contain the labels for the DPS and DRI and for each of the four indicators. The report shall also contain the percent poverty, poverty ranking, and percentage of students enrolled in public education for the district, as well as data from the subgroup component.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2757 (December 2003), amended LR 30:1449 (July 2004).

#### **§4317. District Accountability Data Corrections**

A. Since data used for district accountability results are derived from school-level data, district accountability data corrections should be handled during the school accountability appeals period, with the exception of summer school results. Data corrections concerning summer school results should be filed within 30 days after the release of summer school test data.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:2446 (November 2004).

## **Chapter 45. Disaster Considerations for School and District Accountability**

Reserved.

## **Chapter 49. School District Academically in Crisis**

### **§4901. Definition of Academically in Crisis**

A. A school district shall be labeled Academically in Crisis when:

1. more than 30 schools in the district are academically unacceptable; or

2. more than 50 percent of the district's enrollment attends academically unacceptable schools.

B. The state superintendent shall notify the BESE, the local superintendent, and the president of the local school board when a district is determined to be Academically in Crisis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:543 (April 2006).

### **§4903. Local Superintendent and Board Responsibilities**

A. When a district is determined to be Academically in Crisis, the local superintendent shall have sole and exclusive authority in all matters regarding the policy for and operation and management of the school district, except:

1. the local board may:

a. incur debt, issue bonds, pay debt, and meet other financial obligations as required by contract entered into prior to the district's being labeled "Academically in Crisis," or by approval of a proposition by the electorate;

b. sue or be sued and provide for the interests of the school district in response to litigation;

c. respond to the local superintendent's recommendations for discipline or termination of employees who are legally entitled to a hearing before the board;

d. approve or disapprove with recommendations the annual budget or any amendment to that budget for the expenses and operation of the school district as submitted by the local superintendent;

e. acquire property on behalf of the school district by donation or otherwise and take action to preserve such property;

f. dispose of or contract with regard to immoveable property owned or leased by the school district;

g. enter into a collectively bargained contract with employees after negotiations between the employees and the superintendent or his designee;

h. reapportion themselves as provided by law; and

i. perform any duties mandated by Section 1, R.S. 17:10.6 (Act 193).

2. The local superintendent may not enter into a contract on behalf of the local school district for a period exceeding five years. Upon favorable evaluation, contracts may be renewed for up to five years in accordance with applicable laws and procedures.

3. The local superintendent shall submit a monthly report to the local board on all newly executed or renewed contracts.

4. As soon as practicable, but no later than 180 days after notification of the district being Academically in Crisis the local superintendent shall submit to the local board, the BESE, and the legislative auditor a report containing:

a. an evaluation of the benefits of outsourcing all or portions of the school district's fiscal processes and duties, including but not limited to:

- i. procurement;
- ii. payroll;
- iii. accounts payable;
- iv. accounts receivable;
- v. short-term investment;
- vi. inventory control;
- vii. accounting;
- viii. budget compliance; and
- ix. financial reporting;

b. information indicating if such an outsourcing of fiscal matters would allow more focus by the superintendent and district staff on the academic needs and improved achievement of the district's students.

5. The local superintendent shall submit for the BESE approval a structured district improvement plan within 120 days of the of the BESE response to the "180 day" report defined in Paragraph A.4. of this Subsection. The plan shall include the changes deemed necessary for the district to no longer be labeled as Academically in Crisis and contain:

- a. timetables;
- b. measurable goals;
- c. priorities;
- d. instructional changes;
- e. organizational changes;
- f. fiscal changes;

g. meaningful consultation with parents of students enrolled in the district; and

h. an effective and comprehensive program that uses strategies and activities to build the schools' and parents' capacities to for increased parental involvement that positively impacts student achievement.

6. If the BESE fails to approve the district improvement plan, the president of the BESE shall submit the plan to an independent, national organization with the expertise to evaluate such a plan and that will provide the evaluation to the local superintendent and the BESE within 30 days.

a. The independent, national organization shall be selected by a majority vote of a committee composed of a member of the BESE appointed by the president of the BESE, an educator appointed by the governor, and a member of the district school board appointed by its president.

b. Any cost incurred and any payment required by the organization making the evaluation shall be borne by the district school board.

7. The district superintendent shall revise the district improvement plan as advised by the independent evaluator until it is approved by the independent evaluator.

8. Once the plan is approved by the BESE or the independent, national organization, the district superintendent shall:

- a. implement the approved plan;
- b. provide a quarterly report to the BESE on the progress of implementing the plan.

9. The district superintendent shall seek and consider the advice and input of the district school board while exercising authority to enter into and obligate the school district to any contracts not otherwise reserved to the district board in Paragraph A.1 of this Subsection.

10. The district superintendent shall notify each district school board member (by facsimile with receipt or by U.S. Postal Service with return receipt and at the individual member's home address and post at a location of public access reserved for such purposes in the offices of the district school board) at the same time of the solicitation of any requests for proposals or quotations for any of the following types of contracts (as defined in R.S. 39:1484):

- a. professional service contract;
- b. social service contract;
- c. personal contract;
- d. consulting service contract;
- e. contract for employee benefits; or
- f. any other contract not subject to state law requiring public bidding and that requires more than \$250,000 in expenditures.

11. The district superintendent shall not less than 30 days prior to entering any contract described in Subparagraphs A.10.a-f above provide notice in the manner described in Paragraphs A.10 above to each individual district school board member and also post such notice publicly as described in Paragraph A.10 above.

a. The notice shall be a summary of the contract which contains:

- i. a description of the service or item being provided;
- ii. the identity of the contractor;
- iii. the duration of the contract; and
- iv. the dollar amount of total expenditures in the contract.

b. Prior to the conclusion of the thirtieth day after the delivery and the posting of the of the contract summary, the district school board may prohibit the superintendent from initiating or renewing such contract by a vote of two-thirds of the elected members of the board.

12. The provisions of Paragraphs 9, 10, and 11 of this Subsection (§4903) shall not apply to contracts of \$25,000 or less.

13. In exigent circumstances that require the initiation of a contract to be expedited, the superintendent may enter into any contract with a favorable vote of a majority of the elected members of the district school board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:543 (April 2006).

#### **§4905. Contracting and Employing a District Superintendent**

A. The district school board of a district Academically in Crisis, except upon an affirmative vote of two-thirds majority of the elected members of the district school board, shall have no authority to:

1. contract or employ a district superintendent; or
2. terminate the contract or employment of the incumbent superintendent.

B. The district school board of a district Academically in Crisis shall not decrease the district superintendent's salary.

C. If a district superintendent is terminated by an affirmative vote of two-thirds majority of the elected members of the district school board, the board shall have not more than 10 working days from the first full day of the vacancy to appoint an acting superintendent until a new superintendent has been chosen by the board as provided by law.

1. If no acting superintendent is appointed within the required time, the state superintendent shall appoint an acting superintendent.

2. The acting superintendent and the new superintendent shall continue to have exclusive authority and responsibility during the period the system is labeled Academically in Crisis and shall be subject to termination only as provided in this Subsection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:545 (April 2006).

#### **§4907. The Financial Audit and Contracting an Independent CPA**

A. The district school board of a district Academically in Crisis shall select and contract an independent, licensed, certified public accountant from a list of at least three such accountants submitted to the board by the superintendent to conduct an audit of the finances and the financial policies and practices of the school district.

1. The district school board shall make its selection within 10 working days of receipt of the superintendent's list.

2. If the selection is not made within 10 days, the district superintendent shall refer the matter to the legislative auditor who shall select the independent, licensed, certified public accountant to complete the required audit.

3. The audit shall be conducted using generally accepted governmental auditing standards and the Louisiana Governmental Audit Guide.

4. The engagement agreement describing the scope of the audit shall be submitted to legislative auditor for his review and comment to the district school board prior to the execution of the agreement.

B. The audit report shall be submitted to the district school board, the district superintendent, and the legislative auditor.

C. If the audit results in audit findings, the district superintendent shall address each audit finding and report to the legislative auditor on the corrections made.

D. The legislative auditor may take any of the following steps:

1. conduct an independent audit of the district school board;
2. investigate the response of the superintendent to the audit;
3. require the selection of a different auditor as described in Paragraph 1 above and have the new auditor direct the changes in the district's financial practices necessary to address each audit finding.

E. Expenses incurred by the legislative auditor shall be reimbursed by the district school system.

F. If the audit reveals irregularities, they may be reported to:

1. the district attorney with jurisdiction in the parish in which the school district resides; or
2. the appropriate US attorney when the irregularities may be a violation of federal law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:545 (April 2006).

#### **§4909. Additional State Support**

A. The state superintendent of education shall appoint a team of distinguished educators to provide expertise, direction, and support to any school district determined to be Academically in Crisis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:545 (April 2006).

#### **§4911. Exiting the Status of a District Academically in Crisis**

A. A school district Academically in Crisis shall remain so until:

1. fewer than 30 schools within the district are academically unacceptable;
2. fewer than 50 percent of the district's students are enrolled in Academically Unacceptable schools; and
3. all audit findings are addressed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:545 (April 2006).



# Title 28

## EDUCATION

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